

MVD Procedural Quick Update

#144

RE: Seasonal Restricted Farm CDL
Effective date: January 13, 2014

Date: January 10, 2014
To: All MVD
From: Mac Lewis, MVD Policy and Procedures Manager

[This is the latest in a series of procedural updates. These updates deal with specific MVD procedures and practices. Managers and Supervisors should consistently distribute the updates to all personnel and integrate them into regular information and training sessions.]

Effective January 13, 2014, a new restricted, seasonal commercial driver's license (CDL) is available to qualifying drivers in farm-related service industries without requiring the usual CDL knowledge and skills tests. All other CDL licensing requirements do apply, as with any other CDL application.

Effective January 13, 2014, as required by Section 66-5-62.1 NMSA 1978, a new restricted, seasonal, Class B or C commercial driver's license (CDL) is available to qualifying drivers who are employees of farm-related service industries.

The new CDL will be issued with an "A" restriction limiting the driver's operation of commercial vehicles to within 150 miles of the farm-related service industry employer's place of business or the farm currently being served and only during the months of April through September.

A qualifying applicant for the CDL does not have to take the CDL knowledge and skills tests but is subject to all other CDL application requirements.

Drivers applying for the new restricted seasonal CDL must first complete and sign an Applicant's Statement of Qualification (new form MVD-11142), including employer information and confirmation with signature by the employer. The new form includes detailed information about the new restricted CDL and the application process, including the full text of Section 66-5-62.1.

MVD field offices may print and distribute the qualification form to interested applicants and employers, but may not proceed with an application for the new CDL until they are notified by the CDL Unit that the Applicant's Statement of Qualification has been reviewed and approved by the CDL Unit. Once that approval has been received by the field office the application may proceed, subject to all the usual CDL requirements (other than the knowledge and skills tests) for a Class B or C CDL.

Notes:

- The new restricted CDL is (during the April through September seasonal period) a true Class B or C CDL. It is distinct from and is not intended to replace the Class E CDL-exempt license, which is still available for qualifying drivers of recreational, farm and ranch, firefighting and military vehicles.
- No endorsements can be added to the restricted seasonal CDL.

- The "A" restriction will show on the front of the Class B or C CDL, with this language on the back of the license: "RESTRICTIONS: a-Ag use w/in 150 mls. of farm/ranch." Law enforcement personnel will have access to the full restrictions using NMLETS (the New Mexico Law Enforcement Tracking System) or Nlets (the National Law Enforcement Telecommunications System).
- During the non-seasonal period (October through March) the new license will continue to be valid, but only (effectively) as a Class D license, given that the authorization to operate commercial vehicles applies only during the April-September season.
- The restricted CDL will be issued for four or eight years, the same as any other CDL.
- However, the CDL Unit will review each driver's qualifications annually, prior to the beginning of the seasonal period. Drivers who no longer qualify for the restricted CDL will be required to either surrender their CDL license in exchange for a Class D or (with knowledge and skills tests) upgrade to an unrestricted CDL. The usual fees would apply, without any refund, to issuance of the new DL or CDL.

Field office managers and supervisors should refer any comments or questions regarding this Procedural Quick Update to their Bureau Chiefs, with cc to mac.lewis@state.nm.us. Others are encouraged to direct comments or questions directly to the CDL Help Desk at NMCDL.HelpDesk@state.nm.us.
