

MATERIALS TRANSPORTATION ACT AND WHICH REQUIRES THE MOTOR VEHICLE TO BE PLACARDED UNDER HAZARDOUS MATERIALS REGULATIONS (49 CFR PART 172, SUBPART F).

(2) "COMMERCIAL MOTOR VEHICLE (CMV)" DOES NOT INCLUDE A VEHICLE THAT IS:

(I) 1. CONTROLLED AND OPERATED BY A FARMER;

2. USED TO TRANSPORT AGRICULTURAL PRODUCTS, FARM MACHINERY, OR FARM SUPPLIES TO OR FROM A FARM;

3. NOT USED IN THE OPERATIONS OF A COMMON OR CONTRACT MOTOR CARRIER; AND

4. USED WITHIN 150 MILES OF THE PERSON'S FARM;

(II) AN EMERGENCY VEHICLE:

1. EQUIPPED WITH AUDIBLE AND VISUAL SIGNALS; AND

2. OPERATED BY A MEMBER OF OR A PERSON IN THE EMPLOY OF A VOLUNTEER OR PAID FIRE OR RESCUE ORGANIZATION;

(III) A VEHICLE OWNED OR OPERATED BY THE UNITED STATES DEPARTMENT OF DEFENSE IF IT IS CONTROLLED AND OPERATED BY:

1. ANY ACTIVE DUTY MILITARY PERSONNEL;

2. ANY MEMBER OF THE MILITARY RESERVES OR NATIONAL GUARD ON ACTIVE DUTY, INCLUDING PERSONNEL ON FULL-TIME NATIONAL GUARD DUTY AND PERSONNEL ON PART-TIME TRAINING; OR

3. ANY NATIONAL GUARD MILITARY TECHNICIAN; OR

(IV) A MOTOR VEHICLE DESIGNED AND CONSTRUCTED PRIMARILY TO PROVIDE TEMPORARY LIVING QUARTERS FOR RECREATIONAL, CAMPING, OR TRAVEL USE.

[(c)] (D) "Conviction" means a final unvacated adjudication of guilt, or a determination that an individual has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court cost, A PROBATION BEFORE JUDGMENT FINDING, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

[(d)] (E) "Employer" means any individual, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns drivers to operate such a vehicle. An individual who employs himself as a commercial motor vehicle driver is considered to be both an employer and a driver for the purposes of this subtitle.