

- (ii) Has a gross vehicle weight rating of 26,001 or more pounds;
- (iii) Is designed to transport 16 or more passengers, including the driver; or
- (iv) Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous 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.