



DISTRICT 4 HEADQUARTERS

MOTOR CARRIER SERVICES DEPARTMENT OF PUBLIC SAFETY

118 West Capitol Avenue
Public Safety Building
Pierre, South Dakota 57501-2000
PHONE: 605-773-4578
FAX: 605-773-7144
WEBSITE: <http://hp.state.sd.us/motorcarrier.htm>

May 1, 2006

Dear Custom Harvester:

Please familiarize yourself with the following requirements if you intend to harvest within the State of South Dakota, or if you intend to travel through South Dakota to another state.

RESIDENT HARVESTERS

South Dakota residents engaged in custom harvesting must comply with commercial licensing laws. Vehicles licensed commercially must display on each power unit a license sufficient to cover the total gross weight of the vehicle and its load, plus any trailer and its load. Trailers may display identification plates. South Dakota commercially licensed vehicles are not required to purchase trip permits, temporary commercial license, or harvest permits.

Resident vehicles licensed noncommercially, being used to commercially harvest in South Dakota must display a temporary commercial license or a harvest permit. Trailers may display identification plates.

Pickups and service trucks carrying over 500# of harvest equipment, tools or fuel supplies will be required to display some form of commercial license (trip permits, South Dakota commercial license plates, temporary commercial license or a harvest permit.) Passenger vehicles, mobile homes, and camper vehicles are exempt from commercial licensing.

Farmers who are temporarily engaged in custom harvesting are treated like any other custom harvester. However, farmers who are harvesting their own fields are exempt from commercial licensing.

When a temporary commercial license is used for harvest purposes, it should be displayed in the lower center of the windshield to allow for easier and quicker identification by law enforcement officers.

NONRESIDENT HARVESTERS

Nonresidents engaged in the custom harvest in South Dakota must purchase harvest permits for each vehicle hauling grain. A permit is required for each truck or tractor and for each grain-hauling trailer. Harvest permits exempt nonresidents from all other South Dakota registration requirements.

Passenger vehicles, empty trucks and empty pickups pulling mobile homes or camper trailers are not required to pay additional license fees. Pickups and service trucks carrying over 500# of harvest equipment, tools or fuel supplies will be required to display some form of commercial license (trip permits, South Dakota commercial license plates, temporary commercial license or a harvest permit.)

Trucks loaded with or pulling combines or other harvest equipment will be treated like any other loaded truck and considered according to the base license of the vehicle. Vehicles displaying a valid harvest permit will not be required to purchase a trip permit for their travel into or through the state.

CUSTOM COMBINERS "HARVEST PERMIT"

Any motor vehicle or trailer owned and operated by a resident or a non-resident engaged in the harvest of agricultural products may be operated upon the highways, roads and streets of this state upon payment of a seventy-five dollar fee. Harvest permits are sold to vehicles that will be utilized to haul agricultural products or to service harvesting equipment. They are available to both foreign and South Dakota licensed harvesters. **A PERMIT IS REQUIRED FOR EACH TRUCK OR TRACTOR AND FOR EACH GRAIN HAULING TRAILER.** The harvest permit must be displayed in the lower center of the windshield.

Harvest permits may be obtained from any County Treasurer, Port of Entry, South Dakota Highway Patrol District Office, Highway Patrol Trooper, Motor Carrier Inspector, or via the Internet. The automated permitting system allows motor carriers to apply for South Dakota permits and to pay fees via credit card or escrow account. Carriers who desire to establish an on-line account should contact Janet at Motor Carrier Services Headquarters. She can be reached by telephone at 605-773-4578, or by e-mail at janet.mckenzie@state.sd.us. The automated permit system can be found at www.sdtruckinfo.com. Permits may also be obtained by sending a check or money order along with a copy of the current registration for each vehicle to be permitted to: District Four Headquarters, South Dakota Highway Patrol, 118 West Capitol Avenue, Pierre, SD 57501.

LEGAL LIMITS

Vehicles, which exceed the limits listed below, must obtain a special permit before moving over highways in South Dakota.

- Width: All highways -- 102 inches
- Length: Single truck or bus -- 45 feet
- Vehicle combinations -- Eighty feet on the overall length of a straight truck-trailer combination, provided that, if the tow bar between the straight truck and trailer exceeds nineteen feet, the tow bar is flagged during daylight hours and lighted at night.
- Semi-trailer length -- The length of the semitrailer in a tractor-semitrailer combination is limited to a length of 53 feet. A 4 foot rear overhang is allowed. **(UNITS FOUND OVER THE LEGAL LENGTH WHILE HAULING A DIVISIBLE LOAD, MUST BE REDUCED TO A LEGAL LENGTH.)** The overall length is not limited.
- Height: All highways -- 14 feet
- Weight: The maximum weight on a group of two or more consecutive axles allowable on a public highway is determined by the following formula: $W = 500[LN/(N-1)+12N+36]$. Where W = Gross Weight, L = Distance in feet between the extreme axles of a group, and N = Number of axles in the group.
 - Axle/tire weights are limited as follows:
 - a) Any single tire axle weight may not exceed 500 pounds per inch width of tire with the exception of a steering axle, which may carry up to 600 pounds per inch width of tire. Tire width is based on tire section width, i.e., a 10:00 X 22 tire would equate to a 10 inch section width.
 - b) Single axle may not exceed 20,000 pounds (two or more axles which are spaced 40 inches or less apart, will be considered a single axle). (**)
 - c) Tandem axle may not exceed 34,000 pounds (two or more axles which are spaced more than 40 inches apart but 96 inches or less apart, will be considered a tandem axle).
 - d) Two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each provided the overall distance between the first and last axle of the consecutive sets of tandems is 36 feet or more.
 - e) Loads on Interstate highways are limited to 80,000 pounds gross weight, unless accompanied by a special Interstate overweight permit.

(**) Combine trailers transporting a single combine exceeding 20,000 pounds on a single axle must obtain an overweight permit from the South Dakota Permit Center **prior** to entry into South Dakota.

OVERSIZE

Oversize permits are required for all harvest vehicles or equipment, which exceed legal size limits. An annual custom harvest fleet permit is available to legalize the operation of one or more overwidth, overheight, or overwidth and overheight vehicles on the state trunk highway system. The conditions of the permit are as follows:

- A permit vehicle is one or more unit owned or operated by the custom harvester to provide custom harvesting services;
- Except for a combine operating under its own power, a permit vehicle may not exceed a width of 16 feet, a height of 15 feet, or a combination of these dimensions, on any permit vehicle;
- A combine operating under its own power may move on an interstate highway under the following conditions:
 - ⇒ No parallel route is available
 - ⇒ The combines width does not exceed 20 feet; and
 - ⇒ If the combines width exceeds 16 feet, it is accompanied by an escort vehicle as required in 70:03:01:20 and defined in 70:03:01:21;
- A combine wider than 20 feet may be operated under its own power on a state highway under to following conditions:
 - ⇒ The combine is a accompanied by an escort vehicle as required in 70:03:01:20 and defined in 70:03:01:21;
 - ⇒ The special traffic handling requirements as required in 70:03:01:20.01 are followed. When escorted, the combine is exempt from the signing and flagging requirements of 70:03:01:14 and 70:03:01:14.01;
- Movement of a permit vehicle may not cause traffic delays longer than five minutes for other vehicles;
- Two combine headers may be moved loaded side by side on a header trailer or other hauling unit;
- Time of movement is limited to daylight hours only, sunrise to sunset;
- Permit vehicles moving in convoys must maintain at least 500 feet of space between vehicles;
- Permit vehicles must travel in the right-hand lane when moving on a multilane or interstate highway. A permit vehicle may use the left lane only as allowed by traffic control signing or to pass traffic that is not maintaining a speed of 40 miles per hour;
- Permit vehicles may move on an interstate highway at speeds less than 40 miles per hour only if no parallel route is available;
- Signs, signposts, bridge clearance markers, or any other highway features restricting width may not be removed or distorted to allow the passage of a permit vehicle; and
- A permit issuing authority may place additional limitations and restrictions on the permit regarding weather, route of travel and time of movement. Before moving a permit vehicle, the custom harvester must ascertain in a manner satisfactory to the custom harvester that no width or height restrictions exist which will prohibit the proposed move. The custom harvester must keep a copy of the permit in each fleet vehicle requiring a permit.

The permit fee is \$60.00.

Over dimensional permits may be purchased at South Dakota Ports of Entry located on Interstate 29 and Interstate 90. Custom harvesters entering South Dakota on other routes will be required to obtain their oversize permits **in advance**. South Dakota permits may be obtained via facsimile transmission through the Ports of Entry located along the Interstate system, or from the District Headquarters. The use of a MasterCard, Visa, Discover, or American Express credit card allows the custom harvester to charge the permit fees to their account. The following information is necessary in order to properly process a permit: driver's license number, address and telephone number of the credit card holder along with your company name and address. We also need you to provide a fax number for the location where you want the permit sent.

OVERWEIGHT

South Dakota law allows, "All vehicles hauling agricultural products from a harvesting combine to the point of first unloading may not be subject to enforcement action for violations not exceeding the legal limits imposed pursuant to 32-22-16 or 32-22-21 by more than ten percent." However, this vehicle may not exceed the speed of 50 mph and is only exempt pursuant to this section within a range of 50 miles of the harvested field. This special consideration does not apply to the interstate highways.

CARAVAN SPACING

Custom harvesters operating in a caravan must be operated as to allow sufficient distance between each vehicle or combination of vehicles enabling other vehicles to pass, enter and occupy such space without danger.

SOUTH DAKOTA FUEL REQUIREMENTS (diesel and propane)

While traveling into or through South Dakota, the following are exempt from fuel permits:

- Trucks with two axles which have a combined gross weight or registered gross weight of 26,000 pounds or less;
- Combines; or
- The operator is able to display a valid IFTA Fuel Permit.

All other resident and nonresident custom harvesters entering South Dakota will be required to purchase a temporary fuel permit. These permits may be purchased at South Dakota Ports of Entry located on Interstate 29 and Interstate 90. Custom harvesters entering South Dakota on other routes will be required to obtain their temporary fuel permits in advance. South Dakota permits may be obtained via facsimile transmission through the Ports of Entry located along the Interstate system, or from the District Headquarters. The use of a MasterCard, Visa, Discover, or American Express credit card allows the custom harvester to charge the permit fees to their account. The following information is necessary in order to properly process a permit: driver's license number, address and telephone number of the credit card holder along with your company name and address. We also need you to provide a fax number for the location where you want the permit sent.

PERMIT SERVICES

The following telephone numbers can accommodate your request for permits ordered with a credit card:

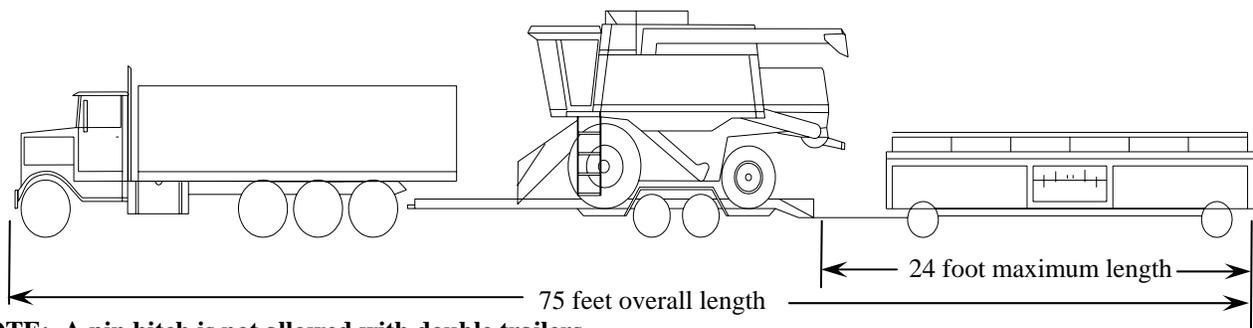
| | | | |
|--------------|--------------|-------------|--------------|
| Sisseton | 605-698-3925 | Sioux Falls | 605-757-6406 |
| Tilford | 605-347-2671 | Jefferson | 605-356-0124 |
| Headquarters | 605-773-4578 | | |

Permits may also be ordered on-line by visiting www.sdtruckinfo.com *See instructions on page 2 to set up an account.

THREE UNIT OPERATION

Three unit combinations cannot be operated on South Dakota highways unless they comply with state law as follows:

- The maximum length of a semitrailer-semitrailer combination, excluding the length of the truck-tractor, is eighty-one and one-half feet provided the maximum length of either unit does not exceed forty-five feet. If the tow bar length exceeds nineteen feet, the tow bar shall be flagged during daylight hours and lighted at night. The weight of the second unit may not exceed the weight of the first unit by more than three thousand pounds. A semitrailer is any vehicle of the trailer type, equipped with a kingpin assembly, designed and used in conjunction with a fifth wheel connecting device on a motor vehicle and constructed so that part of its load rests upon or is carried by another vehicle.
- The overall length for a combination consisting of a towing vehicle and two trailers is limited to 75 feet. The first trailer must be connected to the towing vehicle by a **ball hitch, gooseneck hitch, pintle hitch or fifth wheel hitch**. The hitch connecting the second trailer to the first must be a ball hitch, gooseneck hitch or pintle hitch directly fastened to the frame of the first trailer. The second trailer and load may not exceed 24 feet and if its gross weight exceeds 3,000 pounds, it must be equipped with breakaway brakes. (Example below)



NOTE: A pin hitch is not allowed with double trailers.

NON-RESIDENT COMMERCIAL DRIVER LICENSE FOR NON-IMMIGRANT TEMPORARY AGRICULTURAL WORKERS

In order to obtain a non-resident CDL in the State of South Dakota you will need to present a passport, visa and completed driver license application form (available at the driver exam station) to the driver license examiner. A social security card is also required, but if you have not received a card, you may still be issued a non-resident CDL. You will need to report your social security number to Drivers Licensing (1-800-952-3696) within 60 days of the date your license was issued or risk cancellation of the license. If you are subject to CFR Part 391, you will also need to present a valid DOT medical card. Once you have presented all documentation, you will proceed to the written portion of the CDL test. Once you have successfully passed the written exam, you will be issued an instruction permit that allows you to drive with another driver (who already holds the required class of CDL for that vehicle). You will then need to set up an appointment with a "third-party tester" to complete the drive/skill test. You may contact the Driver Licensing Program at 1-800-952-3696 for assistance in locating a third party tester in your area. Upon successful completion of the drive/skill test you may return to the exam station to be issued your non-resident CDL.

WEED AND PEST CONTROL - PLANT QUARANTINE AND TREATMENT

- **SDCL 38-22-13. Moving agricultural machinery without cleaning as misdemeanor.** It is a Class Two Misdemeanor for any person to move any harvesting or portable seed cleaning or agricultural processing equipment or vehicles on which the equipment is transported into this state or from any field within the state in which it has been used to another field without first cleaning such equipment and vehicles. For the purposes of this section, equipment and vehicles are deemed to be clean if essentially free from dirt, seed, straw and chaff.
- **SDCL 38-24A-6. Quarantines and embargoes authorized.** The secretary of agriculture is authorized to quarantine this state or any portion thereof when he shall determine that such action is necessary to prevent or retard the spread of a pest within or from this state or portion thereof whenever he determines that a pest exists therein and that such action is necessary to prevent or retard its spread into this state.
- **SDCL 38-24A-10. Movements contrary to quarantine rules prohibited.** Following establishment of a quarantine, no person shall move any regulated article described in the quarantine or move the pest against which the quarantine is established, within, from, into, or through this state contrary to rules promulgated by the secretary of agriculture.
- **SDCL 38-24A-14. Inspection powers of secretary.** The secretary may, without a search warrant, with or without the assistance of any law enforcement agency, stop and inspect, in a reasonable manner, any means of conveyance moving within this state upon probable cause to believe it contains or carries any pest, host, or other article subject to the provisions of this chapter.
- **SDCL 38-24A-11. Quarantine violation as a misdemeanor.** Any person who has knowingly moved any regulated article into this state from any quarantined area of any other state, which article has not been treated or handled under provisions of the quarantine and rules, to remove all possibilities of infestation and damage, in effect at the point of origin, is guilty of a Class 1 misdemeanor.

ADMINISTRATIVE RULES

- **12:51:02:01. Area under regulation.** The area regulated for nonnative plant species is the state of South Dakota.
- **12:51:03:01. Regulated nonnative plant species.** The following nonnative plant species, including all plants, plant parts, and seeds capable of propagation, are regulated plant species under SDCL 38-24A-6: Canada thistle, Common crupina, Dalmation toadflax, Diffuse knapweed, Dodder, Eurasian water milfoil, Field bindweed, Hoary cress, Johnsongrass, Leafy spurge, Multiflora rose, Musk thistle, Perennial pepperweed, Perennial sowthistle, Plumeless thistle, Purple loosestrife, Rush skeleton weed, Russian knapweed, Spotted knapweed, St. Johnswort, Yellow starthistle, Yellow toadflax.
- **12:51:04:02. Unused and uncleaned equipment.** Used and uncleaned equipment, including cultivating equipment, soil moving equipment, harvesting equipment, grain cleaning equipment, and seeding equipment, that has been exposed to the nonnative plant species listed in Section 12:51:03:01 are regulated articles.
- **12:51:06:02. Regulated articles.** A person may not transport, buy, sell, or offer for sale within the regulated area any regulated articles exposed to any of the nonnative plant species list in Section 12:51:03:01.
- **12:51:07:01. Treatment of equipment.** Regulated equipment specified in Section 12:51:04:02 must be cleaned and free of soil, plant parts, seeds, and physical debris prior to movement into or within South Dakota. At a minimum, regulated equipment must be cleaned using the following procedures as applicable:

1. Clean the crop tank;
 2. Open the separation equipment and fan completely;
 3. Open all traps and remove all debris;
 4. Remove all soil and physical debris from all accessible areas; and
 5. Operate mechanized equipment empty with all functions engaged at operational RPM for five minutes.
- The secretary may order steam cleaning, pressure washing, or the use of forced air to treat regulated equipment.
 - 12:51:07:03. Disposal of infested material. Weed seeds, plant parts, soil, and other debris collected when treating regulated articles must be disposed of in a manner that prevents dissemination of the nonnative plant species listed in Section 12:51:03:01. The secretary may order the use of specific means of disposal of infested material in individual cases.
 - 12:51:07:04. Disposition of articles in violation. Regulated articles in violation of Section 12:51:06:02 must be returned to the point of origin or if possible, treated in a manner prescribed in Section 12:51:07:01. Until disposition is determined by the secretary, all articles must be transported, stored, or held in a manner that prevents possible spread of infestation. All cost of treatment must be borne by the owner.

SD DEPARTMENT OF AGRICULTURE RECOMMENDATIONS

1. Clean equipment free of all weed seed, litter, and soil before moving from an infested field or farm to a field or farm that is free of noxious weeds.
2. Clean equipment free of all weed seed, litter, and soil before loading for transport.
3. Equipment should be transported with all traps open.

For additional information or clarification, please call my office at (605) 773-4578.

Sincerely,



Captain Pat Fahey
District Four Commander

cc: District Commanders
Sherri Miller, DMV