Wage and Hour Division, Labor

§ 500.104 Department of Labor standards for passenger automobiles and station wagons and transportation of seventy-five miles or less.

Any farm labor contractor, agricultural employer or agricultural association providing transportation in passenger automobiles and station wagons and other vehicles used only for transportation as provided in §500.102(a) and (d) shall comply with the following vehicle safety standards:

(a) **External lights.** Head lights, tail lights, stop lights, back-up lights, turn signals and hazard warning lights shall be operable.

(b) **Brakes.** Every vehicle shall be equipped with operable brakes for stopping and holding on an incline. Brake systems shall be free of leaks.

(c) **Tires.** Tires shall have at least 2/32 inch tread depth, and have no cracks/defects in the sidewall.

(d) **Steering.** The steering wheel and associated mechanism shall be maintained so as to safely and accurately turn the vehicles.

(e) **Horn.** Vehicles shall have an operable air or electric horn.

(f) **Mirrors.** Mirrors shall provide the driver full vision of the sides and to the rear of the vehicle.

(g) **Windshields/windshield wipers.** Windshields and windows may not have cracks or opaque obstructions which obscure vision. Vehicles shall be equipped with windshield wipers that are operational to allow the operator full frontal vision in all weather conditions.

(h) **Fuel system.** Fuel lines and the fuel tank shall be free of leaks. The tank shall be fitted with a cap to securely cover the filling opening.

(i) **Exhaust system.** The exhaust system shall discharge carbon monoxide away from the passenger compartment and be free of leaks beneath the passenger compartment.

(j) **Ventilation.** Windows will be operational to allow fresh air to the occupants of the vehicle.

(k) **Safe loading.** Vehicles will not be driven when loaded beyond the manufacturer’s gross vehicle weight rating.

(l) **Seats.** A seat securely fastened to the vehicle will be provided for each occupant or rider in, or on, any vehicle, except that transportation which is
§ 500.105 Primarily on private farm roads will be
excused from this requirement provided the total
distance traveled does not exceed ten (10) miles,
and so long as the trip begins and ends on a farm
owned or operated by the same employer.

(m) Handles and latches. Door handles
and latches shall be provided and main-
tained to allow exiting capability for
vehicle occupants.

(n) Passenger compartment. Floor and
sides of any part of the vehicle to be
occupied by passengers must be free of
openings, rusted areas or other defects
which are likely to result in injury to
passengers.

§ 500.105 DOT standards adopted by
the Secretary.

(a) Any farm labor contractor, agri-
cultural employer or agricultural asso-
ciation providing transportation in ve-
hicles other than passenger auto-
mobiles and station wagons used for
transportation as provided in § 500.102
(b), (c), and (e) shall comply with the
motor carrier safety standards listed in
paragraph (b) of this section.

(b) The Secretary for the purposes
of this section has adopted from 49 CFR
part 398 the following pertinent stand-
dards. (In adopting these standards, edi-
torial changes necessitated by the Act
and these regulations have been made
to conform the language to these regu-
lations):

(1) Qualification of drivers or operators
(Source: 49 CFR 398.3)—(i) Compliance re-
quired. Every person subject to this Act
who drives a motor vehicle or is re-
sponsible for the hiring, supervision,
training, assignment or dispatching of
drivers shall comply and be conversant
with the requirements of this section.

(ii) Minimum physical requirements. No
such person shall drive, nor shall any such person require
or permit any person to drive any
motor vehicle unless within the imme-
diately preceding 36-month period such
person shall have been physically ex-
amined and shall have been certified in
accordance with the provisions of para-
graph (b)(1)(ii)(H) of this section by a
licensed doctor of medicine or osteop-
athy as meeting the requirements of
this subsection.

(H) Certificate of physical examination.
Every person shall have in his files at
his principal place of business for every
driver employed or used by him a leg-
ible certificate of a licensed doctor of medicine or osteop-
athy based on a
physical examination as required by
paragraph (b)(1)(ii)(G) of this section or
a legible photographically reproduced
copy thereof, and every driver shall
have in his possession while driving,
such a certificate or a photographically
reproduced copy thereof covering him-
self.

(1) Doctor’s certificate. The doctor’s
certificate shall certify as follows:

DOCTOR’S CERTIFICATE

(Driver of Migrant Workers)

This is to certify that I have this day ex-
amined

[Signature]

in accordance with
§ 398.3(b) of the Federal Motor Carrier Safety
Regulations of the Federal Highway Admin-
istration and that I find him

Qualified under said rules.

Qualified only when wearing glasses.