Purpose
To establish safety and other standards regarding the transportation of migrant farm workers.

Applicable Laws
The transportation of migrant and seasonal farm workers is governed by the United States Department of Transportation's (DOT) Federal Motor Carrier Safety Regulations and regulations adopted by the United States Department of Labor (DOL) in implementing the Migrant and Seasonal Agricultural Worker Protection Act (MSPA).

The DOL adopted, virtually intact, the Federal Motor Carrier Safety Regulation dealing with the transportation of migrant and seasonal agricultural workers.

In addition, the DOL adopted its own vehicle standards for automobiles and station wagons used to transport migrant and seasonal agricultural workers and all other vehicles used to transport migrant and seasonal agricultural workers for trips of seventy-five miles or less (excluding day-haul operations). (See EDIS document FE406, Migrant and Seasonal Agricultural Worker Protection Act (MSPA) [Federal].)

The regulations contain provisions setting forth the qualifications of drivers or operators, the driving of motor vehicles, the parts and accessories necessary for safe driving operation, hours of service by drivers, maximum driving time, and inspection and maintenance of motor vehicles.
Operator Qualifications
Regulations on the qualifications of drivers provide that no persons shall drive any motor vehicle carrying migrant farm workers unless they meet the following minimum qualifications:

- Be twenty-one years of age or older.
- Have no mental, nervous, organic, or functional diseases likely to interfere with safe driving.
- Have no loss of foot, leg, hand, or arm.
- Have no loss of fingers or impairment of foot, leg, hand, or arm that prevents safe driving.
- Have visual acuity of at least 20/40 corrected.
- Have hearing of not less than 10/20 in one ear.
- Not be addicted to narcotics or habit-forming drugs or excess use of alcoholic beverages.
- Have a physical examination by a licensed doctor of medicine or osteopathy at least every thirty-six months and carry a certificate of physical examination at all times.
- Read and speak English.
- Possess a valid driving permit applicable to the vehicle being driven (i.e., a Commercial Driver's License with a passenger transport endorsement).

Operator Regulations
Regulations governing the driving of motor vehicles carrying migrant farm workers include the following:

- Driving rules to be obeyed.
- Driving while ill or fatigued.
- Alcohol beverages.
- Schedules to conform to speed limits.
- Equipment and emergency devices.
- Rest and meal stops.
- Kinds of motor vehicles in which workers may be transported.
- Lighting devices and reflectors.
- Limitation on distance of travel.
- Ignition of fuel precautions.
- Carrying reserve fuel.
- Driving by unauthorized persons.
- Protection of passengers from weather.

Vehicle Specifications
The regulations also specify certain parts and accessory requirements for vehicles used to transport migrant farm workers as follows:

- Tires.
- Brakes.
- Lighting devices.
- Protection from cold.
- Coupling devices (fifth wheel mounting and locking).
- Prohibited heaters include exhaust heaters, open flame heaters, heaters permitting fuel leakage, heaters permitting air contamination, and heaters not securely fastened.
- Passenger compartment: floors; sides; nails, screws, and splinters; seats; protection from weather; exits; gate and doors; ladders and steps; handholds; emergency exits; and communication with driver.

Penalties
Violations of the federal Motor Carrier Safety Regulations carry fines ranging from $1,000 to $11,000 per violation, depending on the severity of the offense.

Inspections and Licensing
For vehicle inspections relative to farm labor contractor certification, contact the local United States Department of Labor, Wage and Hour Division office. For licensing, contact the Florida Department of Highway Safety and Motor Vehicles. (See EDIS document FE419, Transportation of Migrant Farm Workers [State].)

Related Information
- Commercial Driver’s License: Manual for Truck and Bus Drivers, Florida Department of Highway Safety and Motor Vehicles
• Fact Sheet #50: Transportation under the MSPA, United States Department of Labor (https://www.dol.gov/whd/regs/compliance/whdfs50.pdf)

**Responsible Agency**
United States Department of Transportation
Federal Motor Carrier Safety Administration
Southern Service Center
1800 Century Boulevard, Suite 1700
Atlanta, GA 30345
(404) 327-7400
https://www.fmcsa.dot.gov/mission/who

Toll-free Information Line, 1-800-832-5660