

(Gen) FLORA

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
Wage and Hour Division  
WASHINGTON, D.C. 20210



AUG 18 1978

Your recent letter to ~~████████████████████~~ Chicago, Illinois regional office has been forwarded to this office for reply.

In the situation which you stated, the crew foreman transports the crew in his or her own personal car, station wagon or van or in one owned by a member of the foreman's immediate family. The owner of the vehicle or the foreman is compensated for the use of the vehicle by either a daily or mileage rate by ~~████████~~. You further stated that many of these drivers qualify for exemption under Section 3(b)(4) of the Act. The question is whether the vehicle being used would be required to be registered with the Department as provided by Section 5(a)(2) of the Act.

The answer to your question is yes, the vehicles used should be registered with the Department as provided by Section 5(a)(2) of the Act. ~~████████~~ is directly causing the vehicles to be operated for the transportation of migrant workers and thus is responsible for assuring that these provisions are met.

If you have further questions regarding this matter, please do not hesitate to write.

Sincerely,

Herbert J. Cohen  
Assistant Administrator

cc: ~~████████████████████~~