S T A T E O F N E W Y O R K

2477

2009-2010 Regular Sessions

I N S E N A T E

February 20, 2009

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing the operation of any farm vehicle within the state by a person with a class D driver's license; and to repeal subparagraph (vi) of paragraph (b) of subdivision 2 of section 501 of such law relating to farm endorsements

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subparagraph (iv) of paragraph (a) of subdivision 2 of section 501 of the vehicle and traffic law, as amended by chapter 339 of the laws of 2005, is amended to read as follows:

(iv) Class D. (A) Such license shall be valid to operate any passenger or limited use automobile or any truck with a GVWR of not more than twenty-six thousand pounds or any such vehicle towing a vehicle with a GVWR of not more than ten thousand pounds, or any such vehicle towing another vehicle with a GVWR of more than ten thousand pounds provided such combination of vehicles has a GCWR of not more than twenty-six thousand pounds, or any personal use vehicle with a GVWR of not more than twenty-six thousand pounds or any such vehicle towing a vehicle with a GVWR of not more than ten thousand pounds, except it shall not be valid to operate a tractor, a motorcycle other than a class B or C limited use motorcycle, a vehicle used to transport passengers for hire or for which a hazardous materials endorsement is required, or a vehicle defined as a bus in subdivision one of section five hundred nine-a of this title.

(B) NOTWITHSTANDING ANY RESTRICTION ON THE OPERATION OF VEHICLES INCLUDED IN CLAUSE (A) OF THIS SUBPARAGRAPH, SUCH LICENSE SHALL BE VALID TO OPERATE ANY FARM VEHICLE ANYWHERE WITHIN THIS STATE.

S 2. Subparagraph (vi) of paragraph (b) of subdivision 2 of section 501 of the vehicle and traffic law is REPEALED.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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S 3. Subdivision 7 of section 501-a of the vehicle and traffic law, as added by chapter 173 of the laws of 1990, is amended to read as follows:

7. Farm vehicle. A vehicle OR ANY COMBINATION OF VEHICLES having a GVWR of not more than twenty-six thousand pounds which is controlled and operated by a farmer, is used to transport agricultural products, farm machinery, farm supplies or all of the aforementioned to or from the farm and is not used in the operations of a common or contract motor carrier and[, such a vehicle having a GVWR of more than twenty-six thousand pounds while being used within one hundred fifty miles of the person's farm] SUCH VEHICLE OR VEHICLES ARE OPERATED WITHIN THIS STATE.

S 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.