

8664--A

I N   A S S E M B L Y

January 12, 2016

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Introduced by M. of A. GUNTHER, McDONOUGH -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to authorizing the travel on a highway of a farm vehicle from its point of sale to a farm

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

1     Section 1. Subdivision 13 of section 401 of the vehicle and traffic  
2     law, as amended by chapter 203 of the laws of 2002, is amended to read  
3     as follows:  
4     13. Registration of motor vehicles, trailers and semitrailers operated  
5     upon public highways connecting portions of a farm or farms, municipal  
6     sanitary landfills [and], licensed motor vehicle repair shops AND THE  
7     POINT OF SALE OF THE VEHICLE. Motor vehicles, other than motor vehicles  
8     manufactured and equipped primarily for the transportation of passen-  
9     gers, trailers and semitrailers, to be operated by any person, upon a  
10    public highway for the purpose of traveling by the most direct route,  
11    but in no event further than twenty-five miles one-way from a point on  
12    the farm as designated by the vehicle owner and set forth in an attach-  
13    ment to the vehicle registration, (a) between fields, buildings, and  
14    facilities managed or operated as part of a single farm enterprise in  
15    connection with the production, harvesting, processing or marketing on  
16    that farm of crops, livestock, or livestock products produced on that  
17    farm; or (b) for the purpose of transporting materials from a farm to  
18    the nearest available municipal sanitary landfill; or (c) for the  
19    purpose of transporting the motor vehicle, trailer or semitrailer to a  
20    motor vehicle repair shop licensed pursuant to this chapter for the  
21    repair or adjustment of equipment provided that, in addition to the  
22    route restrictions set forth in this subdivision, no such transport  
23    shall be authorized (i) if such vehicle has an out-of-service defect  
24    relating to load securement, brake systems, steering components and/or  
25    coupling devices, or after it has been placed out-of-service; (ii) on  
26    any limited access highway; and (iii) during the period of one hour

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

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1 before sunset to one hour after sunrise; OR (D) FOR THE PURPOSE OF  
2 TRANSPORTING THE MOTOR VEHICLE, TRAILER OR SEMITRAILER, AT THE TIME OF  
3 FIRST RECEIPT, FROM ITS POINT OF SALE TO A FARM, may be registered as  
4 provided in this subdivision. Every owner of such vehicles may cause to  
5 be filed by mail or otherwise, with the commissioner or with any agent  
6 of the commissioner, an application for registration of such vehicle,  
7 addressed to the commissioner, and on a blank to be furnished by the  
8 commissioner for that purpose, containing the information required by  
9 subdivision one of this section and such other information as the  
10 commissioner shall require. The commissioner or agent shall make such  
11 investigation, as he or she shall determine necessary, and if satisfied  
12 that the vehicle is to be operated exclusively as provided in this  
13 subdivision shall, upon the payment of a fee of one dollar, assign to  
14 such vehicle a distinctive number and issue and deliver to the applicant  
15 a set of number plates and a certificate of registration in such form as  
16 the commissioner shall prescribe, indicating the extent to which the  
17 vehicle registered may be operated on the public highways and such vehi-  
18 cle may be operated only as so indicated. For the purposes of this  
19 subdivision, the terms "farm" and "crops, livestock or livestock  
20 products," shall have the same meaning as "land used in agricultural  
21 production" and "crops, livestock and livestock products," respectively,  
22 as defined in section three hundred one of the agriculture and markets  
23 law, except that farmers with an average gross sales value of at least  
24 one thousand dollars per year of crops, livestock, and livestock  
25 products shall be eligible to register vehicles pursuant to this subdi-  
26 vision.

27 S 2. This act shall take effect immediately.