

7180--A

Cal. No. 1111

I N S E N A T E

April 6, 2016

Introduced by Sen. RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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

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

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

31 S 2. This act shall take effect immediately.