STATE OF NEW YORK

3950

2017-2018 Regular Sessions

IN SENATE

January 31, 2017

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

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.

§ 2. Subdivision 8 of section 501-a of the vehicle and traffic law, as added by section 3 of part E of chapter 58 of the laws of 2016, is amended to read as follows:

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

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8. Covered farm vehicle. [~~(a)~~] A vehicle or combination of vehicles registered **and operated** in this state, which [~~(i)~~] **(a)** displays a covered farm vehicle designation issued by the commissioner, [~~(ii)~~] **(b)** is operated by the owner or operator of a farm or ranch, or an employee or family member of an owner or operator of a farm or ranch, [~~(iii)~~] **(c)** is used to transport agricultural commodities, livestock, machinery or supplies to or from a farm or ranch, [~~(iv)~~] **(d)** is not used in for-hire motor carrier operations, exclusive of operation by a tenant pursuant to a crop share farm lease agreement to transport the landlord's portion of the crops under that agreement; and [~~(v)~~] **(e)** is not used for the transportation of hazardous materials.

[~~(b) A covered farm vehicle with a gross vehicle weight or gross vehicle weight rating, whichever is greater, of more than twenty-six thousand pounds may only be operated within one hundred fifty air miles of the farm or ranch.~~

~~(c) The commissioner shall, by regulation, designate an endorsement or endorsements for the operation of covered farm vehicles with a gross vehicle weight or gross vehicle weight rating of more than twenty-six thousand pounds. Such endorsement or endorsements shall be required to operate such a covered farm vehicle or combination of covered farm vehicles. The identification and scope of such endorsement or endorsements shall, at a minimum, include a distinction between the operation of a covered farm vehicle having a gross vehicle weight or gross vehicle weight rating of more than twenty-six thousand pounds and the operation of a combination of covered farm vehicles having a gross vehicle weight or gross vehicle weight rating of more than twenty-six thousand pounds.~~

~~(d) For the purposes of this subdivision, the gross vehicle weight of a vehicle shall mean the actual weight of the vehicle and the load.~~]

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