STATE OF NEW YORK

3860--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 31, 2019

Introduced by M. of A. MAGNARELLI -- 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 certain registrations of vehicles

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 13 of section 401 of the vehicle and traffic law, as amended by chapter 295 of the laws of 2016, is amended to read as follows:

13. Registration of motor vehicles, trailers and semitrailers operated upon public highways connecting portions of a farm or farms, municipal sanitary landfills, licensed motor vehicle repair shops and the point of sale of the vehicle. Motor vehicles, other than motor vehicles manufactured and equipped primarily for the transportation of passengers, trailers and semitrailers, to be operated by any person, upon a public highway for the purpose of traveling by the most direct route, but in no event further than twenty-five miles one-way from a point on the farm as designated by the vehicle owner and **which designated point is** set forth in an attachment to the vehicle registration, (a) between fields, buildings, and facilities managed or operated as part of a single farm enterprise in connection with the production, harvesting, processing or marketing on that farm of crops, livestock, or livestock products produced on that farm; or (b) for the purpose of transporting materials from a farm to the nearest available municipal sanitary landfill; or (c) for the purpose of transporting the motor vehicle, trailer or semitrailer to a motor vehicle repair shop licensed pursuant to this chapter for the repair or adjustment of equipment provided that, in addition to the route restrictions set forth in this subdivision, no such transport shall be authorized (i) if such vehicle has an out-of-service defect relating to load securement, brake systems, steering components and/or

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

LBD08316-02-9

coupling devices, or after it has been placed out-of-service; (ii) on any limited access highway; and (iii) during the period of one hour before sunset to one hour after sunrise; or (d) for the purpose of transporting the motor vehicle, trailer or semitrailer, at the time of first receipt, from its point of sale to a farm, may be registered as provided in this subdivision. Every owner of such vehicles may cause to be filed by mail or otherwise, with the commissioner or with any agent of the commissioner, an application for registration of such vehicle, addressed to the commissioner, and on a blank to be furnished by the commissioner for that purpose, containing the information required by subdivision one of this section and such other information as the commissioner shall require. The commissioner or agent shall make such investigation, as he or she shall determine necessary, and if satisfied that the vehicle is to be operated exclusively as provided in this subdivision shall, upon the payment of a fee of one dollar, assign to such vehicle a distinctive number and issue and deliver to the applicant a set of number plates and a certificate of registration in such form as the commissioner shall prescribe, indicating the extent to which the vehicle registered may be operated on the public highways and such vehicle may be operated only as so indicated. For the purposes of this subdivision, the terms "farm" and "crops, livestock or livestock products," shall have the same meaning as "land used in agricultural production" and "crops, livestock and livestock products," respectively, as defined in section three hundred one of the agriculture and markets law, except that farmers with an average gross sales value of at least one thousand dollars per year of crops, livestock, and livestock products shall be eligible to register vehicles pursuant to this subdivision.

§ 2. Nothing contained in this act shall be deemed to invalidate registration attachments required pursuant to subdivision 13 of section 401 of the vehicle and traffic law prior to the amendment of such subdivision made by section one of this act.

§ 3. This act shall take effect immediately.