

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:

1 Section 1. Subdivision 13 of section 401 of the vehicle and traffic
2 law, as amended by chapter 295 of the laws of 2016, 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, licensed motor vehicle repair shops and the point of
7 sale of the vehicle. Motor vehicles, other than motor vehicles manufac-
8 tured and equipped primarily for the transportation of passengers,
9 trailers and semitrailers, to be operated by any person, upon a public
10 highway for the purpose of traveling by the most direct route, but in no
11 event further than twenty-five miles one-way from a point on the farm as
12 designated by the vehicle owner and which designated point is set forth
13 in an attachment to the vehicle registration, (a) between fields, build-
14 ings, and facilities managed or operated as part of a single farm enter-
15 prise in connection with the production, harvesting, processing or
16 marketing on that farm of crops, livestock, or livestock products
17 produced on that farm; or (b) for the purpose of transporting materials
18 from a farm to the nearest available municipal sanitary landfill; or (c)
19 for the purpose of transporting the motor vehicle, trailer or semitrail-
20 er to a motor vehicle repair shop licensed pursuant to this chapter for
21 the 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

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

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

29 § 2. Nothing contained in this act shall be deemed to invalidate
30 registration attachments required pursuant to subdivision 13 of section
31 401 of the vehicle and traffic law prior to the amendment of such subdi-
32 vision made by section one of this act.

33 § 3. This act shall take effect immediately.