STATE OF NEW YORK

9726

IN ASSEMBLY

April 3, 2024

Introduced by M. of A. LUPARDO -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to exempting farmers from commercial driver's license requirements while operating a covered farm vehicle

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

Section 1. 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:

8. Covered farm vehicle. (a) A vehicle or combination of vehicles registered in this state, which (i) displays a covered farm vehicle designation issued by the commissioner, (ii) 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) is used to transport agricultural commodities, livestock, machinery or supplies to or from a farm or ranch, (iv) 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) 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~~

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

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~~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.

§ 2. Paragraph (d) of subdivision 2 of section 501 of the vehicle and traffic law is amended by adding a new subparagraph (iii) to read as follows:

(iii) Notwithstanding the foregoing provisions of this subdivision, a motor vehicle or combination of vehicles that is a covered farm vehicle, as defined by subdivision eight of section five hundred one-a of this article, that is operated by a farmer pursuant to section 383.3(d) of title 49 of the code of federal regulations within one hundred fifty miles of such farmer's farm, may be operated with any class license other than a class DJ, M or MJ license.

§ 3. This act shall take effect immediately.