

SENATE BILL 221

R4

EMERGENCY BILL

4r1338
CF HB 575

By: **Senator Middleton**

Introduced and read first time: January 16, 2014

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 25, 2014

CHAPTER _____

1 AN ACT concerning

2 **Farm Area Motor Vehicles – Registration and Authorized Use**

3 FOR the purpose of increasing the radius from a farm within which a person may
4 operate on a highway a motor vehicle registered as a farm area motor vehicle;
5 requiring an applicant for registration of a farm area motor vehicle to submit
6 with the application certain documentation of active farming status; altering a
7 certain definition; making this Act an emergency measure; and generally
8 relating to the registration and authorized use of farm area motor vehicles.

9 BY repealing and reenacting, with amendments,
10 Article – Transportation
11 Section 13–935
12 Annotated Code of Maryland
13 (2012 Replacement Volume and 2013 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Transportation**

17 13–935.

18 (a) (1) In this section the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) “Farm area motor vehicle” means a motor vehicle owned by a
2 farmer and operated only on a farm or on a highway within a [10-mile] **25-MILE**
3 radius of the farm.

4 (3) “Island vehicle” means a motor vehicle, other than a golf cart,
5 operated exclusively on an island that:

6 (i) Is not accessible by a highway;

7 (ii) Does not have State maintained highways; and

8 (iii) Contains less than 20 miles of highways.

9 (b) If registered with the Administration under this section, every farm area
10 motor vehicle, every island vehicle, and every vehicle that meets the requirements of
11 subsection (d)(1) of this section is a Class K (farm area/island) vehicle.

12 (c) Except as provided in subsection (d) of this section, for each Class K (farm
13 area/island) vehicle, the annual registration fee is \$2.50.

14 (d) (1) The Administration may issue a temporary registration under this
15 section to a vehicle, other than an island vehicle, that:

16 (i) Is owned by a resident of another state, or a company
17 operating out of another state, if the individual or company is under contract with a
18 Maryland farmer to conduct seasonal harvesting operations in this State;

19 (ii) Is used to transport perishable commodities directly between
20 a farm and a packing plant for sorting and processing;

21 (iii) Passes a level 1 safety inspection conducted by the
22 Department of State Police; and

23 (iv) Is only operated within a 35-mile radius of the location
24 where the seasonal harvesting operations will occur.

25 (2) A temporary registration issued under this subsection may not be
26 in effect for more than 90 days.

27 (3) The Department of State Police shall establish a weight limitation
28 for vehicles registered under this subsection.

29 (4) A vehicle issued temporary registration under this subsection shall
30 meet the mandatory minimum security requirements of Title 17, Subtitle 1 of this
31 article.

1 (5) A person may not operate a vehicle registered under this
2 subsection unless the person holds a driver’s license issued under Title 16 of this
3 article, or a license to drive issued by the state of the person’s residence.

4 (6) The Administration may establish a fee for a temporary
5 registration issued under this subsection.

6 (e) An island vehicle registered under this section may not be operated on a
7 highway in the State that is not on an island described in subsection (a)(3) of this
8 section.

9 (F) IN APPLYING FOR REGISTRATION OF A FARM AREA MOTOR VEHICLE
10 UNDER THIS SECTION, THE OWNER OF THE VEHICLE SHALL SUBMIT WITH THE
11 APPLICATION, FROM THE MOST RECENT FEDERAL TAX FILING OF THE OWNER, A
12 COPY OF:

13 (1) INTERNAL REVENUE SERVICE FORM 1040, SCHEDULE F; OR

14 (2) ANY OTHER FEDERAL TAX FORM SHOWING ACTIVE FARMING
15 STATUS, AS DETERMINED BY THE ADMINISTRATION.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
17 measure, is necessary for the immediate preservation of the public health or safety,
18 has been passed by a yea and nay vote supported by three-fifths of all the members
19 elected to each of the two Houses of the General Assembly, and shall take effect from
20 the date it is enacted.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.