

# SENATE BILL 221

R4

EMERGENCY BILL  
**ENROLLED BILL**

(4lr1338)

— *Judicial Proceedings/Environmental Matters* —

Introduced by **Senator Middleton**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

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; *providing for the*  
8 *termination of this Act*; and generally relating to the registration and authorized  
9 use of farm area motor vehicles.

10 BY repealing and reenacting, with amendments,  
11 Article – Transportation  
12 Section 13–935  
13 Annotated Code of Maryland  
14 (2012 Replacement Volume and 2013 Supplement)

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**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.

*Italics* indicate opposite chamber/conference committee amendments.



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

3 **Article – Transportation**

4 13–935.

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

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

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

11 (i) Is not accessible by a highway;

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

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

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

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

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

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

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

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

28 (iv) Is only operated within a 35–mile radius of the location  
29 where the seasonal harvesting operations will occur.

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

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

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

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

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

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

16           **(F) IN APPLYING FOR REGISTRATION OF A FARM AREA MOTOR VEHICLE**  
17 **UNDER THIS SECTION, THE OWNER OF THE VEHICLE SHALL SUBMIT WITH THE**  
18 **APPLICATION, FROM THE MOST RECENT FEDERAL TAX FILING OF THE OWNER, A**  
19 **COPY OF:**

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

21           **(2) ANY OTHER FEDERAL TAX FORM SHOWING ACTIVE FARMING**  
22 **STATUS, AS DETERMINED BY THE ADMINISTRATION.**

23           SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
24 measure, is necessary for the immediate preservation of the public health or safety,  
25 has been passed by a ye and nay vote supported by three-fifths of all the members  
26 elected to each of the two Houses of the General Assembly, and shall take effect from  
27 the date it is enacted. It shall remain effective for a period of 5 years from the date it is  
28 enacted and, at the end of the 5-year period, with no further action required by the  
29 General Assembly, this Act shall be abrogated and of no further force and effect.