

HOUSE BILL 575

R4

EMERGENCY BILL

4r1828
CF SB 221

By: **Delegates Jacobs, Afzali, Arentz, Bates, Beitzel, Cane, Conway, Eckardt, Elliott, Fisher, Glass, Haddaway–Riccio, Hogan, Holmes, Kach, Kipke, Krebs, McDermott, McIntosh, Mitchell, O’Donnell, Otto, S. Robinson, Rudolph, Smigiel, Stifler, Vitale, and Weir**

Introduced and read first time: January 29, 2014

Assigned to: Environmental Matters

A BILL ENTITLED

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.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (i) Is not accessible by a highway;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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