

ASSEMBLY BILL

No. 995

Introduced by Assembly Member Bigelow

February 26, 2015

An act to amend Section 36101 of the Vehicle Code, relating to farm vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 995, as introduced, Bigelow. Farm vehicles: registration exemptions.

Existing law exempts specified farm vehicles from registration with the Department of Motor Vehicles if the vehicles have, and display, an identification plate, including a cotton module mover and a vehicle equipped with a water tank that is owned by a farmer and used exclusively to service his or her own implements of husbandry.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 36101 of the Vehicle Code is amended
2 to read:
3 36101. The following farm vehicles are exempt from
4 registration, if they have and display an identification plate as
5 specified in Section ~~5014~~, and the vehicles 5014. *These vehicles*
6 *also* shall not be deemed to be implements of ~~husbandry~~ *husbandry*,

1 and they shall be subject to all equipment and device requirements
2 as if registered:

3 (a) A motor vehicle of a size so as to require a permit under
4 Section ~~35780~~ 35780, owned and operated by a farmer, designed
5 and used exclusively for carrying, or returning empty from
6 carrying, feed and seed products of farming, and used on a highway
7 between one part of a farm to another part of that farm or from
8 one farm to another farm.

9 (b) A vehicle equipped with a water tank owned by a farmer
10 and used exclusively to service his or her own implements of
11 husbandry.

12 (c) A water tank truck that is owned by a farmer, not operated
13 for compensation, and used extensively in the conduct of
14 agricultural operations, when used exclusively (1) for sprinkling
15 water on dirt roads providing access to agricultural fields or (2)
16 transportation of water for irrigation of crops or trees.

17 (d) (1) A cotton module mover, as defined in Section 36012.

18 (2) In order to maintain the exemption from registration granted
19 under this subdivision for a truck tractor, when combined with a
20 semitrailer, the owner of that truck tractor shall not operate it during
21 the exemption period in any manner other than as a cotton module
22 mover, as defined in Section 36012, and shall do all of the
23 following:

24 (A) Register the vehicle with the department before operating
25 it as a commercial motor vehicle.

26 (B) Apply to the department on a yearly basis for any renewal
27 of the exemption from registration.

28 (3) Exemption from registration under this subdivision does not
29 exempt a truck tractor, when combined with a semitrailer, operating
30 as a cotton module mover pursuant to Section 36012 and this
31 subdivision from the applicable safety requirements of this code
32 or any regulation adopted pursuant to any statute, including, but
33 not limited to, equipment standards, driver licensing requirements,
34 maximum driving and on-duty hours provisions, log book
35 requirements, drug and alcohol testing, maintenance of vehicles,
36 and any driver or vehicle standards specified in Division 14.8
37 (commencing with Section 34500).

38 (4) Truck tractors exempt from registration under this
39 subdivision are subject to the fees imposed under Sections 9250,
40 9250.8, and 9250.13, and to any other vehicle fees that are imposed

1 by statute on or after January 1, 1998, that are deposited in the
2 Motor Vehicle Account.

3 (e) A trailer that is equipped with a plenum chamber for the
4 drying of agricultural commodities.

5 (f) Except as provided in subdivision (j) of Section 36005, a
6 trap wagon, as defined in Section 36016, that is equipped with a
7 fuel tank or tanks. The fuel tank or tanks shall not exceed 3,000
8 gallons total capacity.

9 (g) A forklift truck, operated by a farmer not for compensation.
10 For purposes of this section, a hay-squeeze shall be deemed a
11 forklift.

12 (h) (1) A truck tractor or truck tractor and semitrailer
13 combination specified in this subdivision that is owned by a farmer
14 and operated on the highways only incidental to a farming
15 operation and not for compensation. This subdivision applies only
16 to truck tractors with a manufacturer's gross vehicle weight rating
17 over 10,000 pounds that are equipped with all-wheel drive and
18 off-highway traction tires on all wheels, and only to semitrailers
19 used in combination with that truck tractor and exclusively in the
20 production or harvesting of melons. The vehicles specified in this
21 subdivision shall not be operated in excess of 25 miles per hour
22 on the highways.

23 ~~The~~
24 (2) *The* Commissioner of the California Highway Patrol may,
25 by regulation, prohibit the vehicles specified in this subdivision
26 from operating on specific routes. These vehicles shall not be
27 operated laden on the highway for more than two miles from the
28 point of origin and shall not be operated for more than 30 miles
29 unladen on the highway from the point of origin. These vehicles
30 shall not be operated for more than 15 miles unladen on the
31 highway from the point of origin, unless accompanied by an escort
32 vehicle to the front, and an escort vehicle to the rear.

33 (i) (1) A motor vehicle specifically designed for, and used
34 exclusively in, an agricultural operation for purposes of carrying,
35 or returning empty from carrying, silage that is operated by a
36 farmer, an employee of the farmer, or a contracted employee of
37 the farmer between one part of a farm to another part of that farm
38 or from one farm to another farm, on a highway for a distance not
39 to exceed 20 miles from the point of origin of the trip. This

1 subdivision does not include a vehicle that is used for the
2 transportation of silage for retail sales.
3 ~~For~~
4 (2) *For* the purposes of this subdivision, “silage” includes field
5 corn, sorghum, grass, legumes, cereals, or cereal mixes, either
6 green or mature, converted into feed for livestock.