

**ASSEMBLY BILL**

**No. 1474**

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**Introduced by Committee on Agriculture (Cardoza  
(Chair), Florez, House, Reyes, Thomson, and Wiggins)**

February 26, 1999

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1474, as introduced, Committee on Agriculture. Vehicle registration: exemption: silage.

Existing law exempts specified farm vehicles from vehicle registration requirements under prescribed conditions, including exempting a motor vehicle that is specifically designed for, and used exclusively in, an agricultural operation for purposes of carrying, or returning empty from carrying, silage, as defined, and in a specified manner.

This bill would include in the exemption currently applicable to motor vehicles carrying, or returning empty from carrying silage, motor vehicles that carry, or return empty from carrying hay, as defined.

Vote: majority. Appropriation: no. Fiscal committee: yes. 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  
2 amended to read:

1 36101. The following farm vehicles are exempt from  
2 registration, if they have and display an identification  
3 plate as specified in Section 5014, and the vehicles shall  
4 not be deemed to be implements of husbandry and they  
5 shall be subject to all equipment and device requirements  
6 as if registered:

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

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

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

23 (d) (1) A cotton module mover, as defined in Section  
24 36012.

25 (2) In order to maintain the exemption from  
26 registration granted under this subdivision for a truck  
27 tractor, when combined with a semitrailer, the owner of  
28 that truck tractor shall not operate it during the  
29 exemption period in any manner other than as a cotton  
30 module mover, as defined in Section 36012, and shall do  
31 all of the following:

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

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

36 (3) Exemption from registration under this  
37 subdivision does not exempt a truck tractor, when  
38 combined with a semitrailer, operating as a cotton  
39 module mover pursuant to Section 36012 and this  
40 subdivision from the applicable safety requirements of



1 this code or any regulation adopted pursuant to any  
2 statute, including, but not limited to, equipment  
3 standards, driver licensing requirements, maximum  
4 driving and on-duty hours provisions, log book  
5 requirements, drug and alcohol testing, maintenance of  
6 vehicles, and any driver or vehicle standards specified in  
7 Division 14.8 (commencing with Section 34500).

8 (4) Truck tractors exempt from registration under this  
9 subdivision are subject to the fees imposed under Sections  
10 9250, 9250.8, and 9250.13, and to any other vehicle fees  
11 that are imposed by statute ~~on or after January 1, 1998,~~  
12 that are deposited in the Motor Vehicle Account.

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

15 (f) Except as provided in subdivision (j) of Section  
16 36005, a trap wagon, as defined in Section 36016, that is  
17 equipped with a fuel tank or tanks. The fuel tank or tanks  
18 shall not exceed 3,000 gallons total capacity.

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

22 (h) A truck tractor or truck tractor and semitrailer  
23 combination specified in this subdivision that is owned by  
24 a farmer and operated on the highways only incidental to  
25 a farming operation and not for compensation. This  
26 subdivision applies only to truck tractors with a  
27 manufacturer's gross vehicle weight rating over 10,000  
28 pounds that are equipped with all-wheel drive and  
29 off-highway traction tires on all wheels, and only to  
30 semitrailers used in combination with that truck tractor  
31 and exclusively in the production or harvesting of melons.  
32 The vehicles specified in this subdivision shall not be  
33 operated in excess of 25 miles per hour on the highways.

34 The Commissioner of the California Highway Patrol  
35 ~~may~~, by regulation, *may* prohibit the vehicles specified in  
36 this subdivision from operating on specific routes. These  
37 vehicles shall not be operated laden on the highway for  
38 more than two miles from the point of origin and shall not  
39 be operated for more than 30 miles unladen on the  
40 highway from the point of origin. These vehicles shall not



1 be operated for more than 15 miles unladen on the  
2 highway from the point of origin, unless accompanied by  
3 an escort vehicle to the front, and an escort vehicle to the  
4 rear.

5 (i) (1) A motor vehicle specifically designed for, and  
6 used exclusively in, an agricultural operation for purposes  
7 of carrying, or returning empty from carrying, silage *or*  
8 *hay* that is operated by a farmer, an employee of the  
9 farmer, or a contracted employee of the farmer between  
10 one part of a farm to another part of that farm or from one  
11 farm to another farm, on a highway for a distance not to  
12 exceed 20 miles from the point of origin of the trip. This  
13 subdivision does not include a vehicle that is used for the  
14 transportation of silage *or hay* for retail sales.

15 (2) For the purposes of this subdivision, “silage” *the*  
16 *following definitions control:*

17 (A) “Silage” includes field corn, sorghum, grass,  
18 legumes, cereals, or cereal mixes, either green or mature,  
19 converted into feed for livestock.

20 (B) “Hay” includes alfalfa, oats, vetch, sudan, grass, *or*  
21 *any combination of those crops.*

