

AMENDED IN SENATE JULY 13, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1474

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

February 26, 1999

An act to amend Section 36101 of, *and to add Section 36011.5 to*, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1474, as amended, Committee on Agriculture. Vehicle registration: exemption: ~~silage~~ *stack retrievers*.

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~~ *stack retrievers*, as defined, *used in agricultural operations for specified purposes*.

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 36011.5 is added to the Vehicle*
2 *Code, to read:*

3 36011.5. A “stack retriever” is a two-axle motor
4 vehicle that is specially designed and has permanently
5 mounted equipment for the sole purpose of retrieving
6 and transporting hay or straw from one site to another
7 site.

8 SEC. 2. Section 36101 of the Vehicle Code is amended
9 to read:

10 36101. The following farm vehicles are exempt from
11 registration, if they have and display an identification
12 plate as specified in Section 5014, and the vehicles shall
13 not be deemed to be implements of husbandry and they
14 shall be subject to all equipment and device requirements
15 as if registered:

16 (a) A motor vehicle of a size so as to require a permit
17 under Section 35780 owned and operated by a farmer,
18 designed and used exclusively for carrying, or returning
19 empty from carrying, feed and seed products of farming,
20 and used on a highway between one part of a farm to
21 another part of that farm or from one farm to another
22 farm.

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

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

32 (d) (1) A cotton module mover, as defined in Section
33 36012.

34 (2) In order to maintain the exemption from
35 registration granted under this subdivision for a truck
36 tractor, when combined with a semitrailer, the owner of
37 that truck tractor shall not operate it during the
38 exemption period in any manner other than as a cotton



1 module mover, as defined in Section 36012, and shall do
2 all of the following:

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

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

7 (3) Exemption from registration under this
8 subdivision does not exempt a truck tractor, when
9 combined with a semitrailer, operating as a cotton
10 module mover pursuant to Section 36012 and this
11 subdivision from the applicable safety requirements of
12 this code or any regulation adopted pursuant to any
13 statute, including, but not limited to, equipment
14 standards, driver licensing requirements, maximum
15 driving and on-duty hours provisions, log book
16 requirements, drug and alcohol testing, maintenance of
17 vehicles, and any driver or vehicle standards specified in
18 Division 14.8 (commencing with Section 34500).

19 (4) Truck tractors exempt from registration under this
20 subdivision are subject to the fees imposed under Sections
21 9250, 9250.8, and 9250.13, and to any other vehicle fees
22 that are imposed by statute that are deposited in the
23 Motor Vehicle Account.

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

26 (f) Except as provided in subdivision (j) of Section
27 36005, a trap wagon, as defined in Section 36016, that is
28 equipped with a fuel tank or tanks. The fuel tank or tanks
29 shall not exceed 3,000 gallons total capacity.

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

33 (h) A truck tractor or truck tractor and semitrailer
34 combination specified in this subdivision that is owned by
35 a farmer and operated on the highways only incidental to
36 a farming operation and not for compensation. This
37 subdivision applies only to truck tractors with a
38 manufacturer's gross vehicle weight rating over 10,000
39 pounds that are equipped with all-wheel drive and
40 off-highway traction tires on all wheels, and only to



1 semitrailers used in combination with that truck tractor
2 and exclusively in the production or harvesting of melons.
3 The vehicles specified in this subdivision shall not be
4 operated in excess of 25 miles per hour on the highways.

5 The Commissioner of the California Highway Patrol,
6 by regulation, may prohibit the vehicles specified in this
7 subdivision from operating on specific routes. These
8 vehicles shall not be operated laden on the highway for
9 more than two miles from the point of origin and shall not
10 be operated for more than 30 miles unladen on the
11 highway from the point of origin. These vehicles shall not
12 be operated for more than 15 miles unladen on the
13 highway from the point of origin, unless accompanied by
14 an escort vehicle to the front, and an escort vehicle to the
15 rear.

16 (i) ~~(1)~~—A motor vehicle specifically designed for, and
17 used exclusively in, an agricultural operation for purposes
18 of carrying, or returning empty from carrying, silage ~~or~~
19 ~~hay~~ that is operated by a farmer, an employee of the
20 farmer, or a contracted employee of the farmer between
21 one part of a farm to another part of that farm or from one
22 farm to another farm, on a highway for a distance not to
23 exceed 20 miles from the point of origin of the trip. This
24 subdivision does not include a vehicle that is used for the
25 transportation of silage or hay for retail sales.

26 ~~(2)~~—For the purposes of this subdivision, ~~the following~~
27 ~~definitions control:~~

28 ~~(A)~~ “~~Silage~~” — “*silage*” includes field corn, sorghum,
29 grass, legumes, cereals, or cereal mixes, either green or
30 mature, converted into feed for livestock.

31 ~~(B)~~ “~~Hay~~” includes ~~alfalfa, oats, vetch, sudan, grass, or~~
32 ~~any combination of those crops.~~

33 *(j) (1) A stack retriever, as defined in Section 36011.5,*
34 *and used exclusively in an agricultural operation for the*
35 *purposes of carrying, or returning empty from carrying,*
36 *hay or straw, that is operated by a farmer or an employee*
37 *of the farmer, between one part of a farm to another part*
38 *of that farm or from one farm to another farm owned,*
39 *leased, or rented by that farmer, on a highway for a*



1 *distance not to exceed 10 miles from point of origin of the*
2 *trip.*

3 *(2) This subdivision does not include a vehicle that is*
4 *used for transportation of hay or straw for wholesale or*
5 *retail sale.*

6 *(3) For the purposes of this subdivision, "hay or straw"*
7 *includes alfalfa, oats, vetch, sudan grass, or any*
8 *combination of these crops.*

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