

P.L. 2015, c.292
Approved January 19, 2016

ASSEMBLY, No. 3927
STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED DECEMBER 4, 2014

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Senator Bateman

SYNOPSIS

Requires drivers to slow down before passing slow moving vehicles; establishes Statewide educational campaign on rural roadway safety; updates agriculture-related motor vehicle laws to reflect current industry practices.

CURRENT VERSION OF TEXT

As introduced.

An Act concerning farm vehicles and farm equipment, amending various parts of the statutory law, and supplementing Title 39 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. R.S.39:3-24 is amended to read as follows:

39:3-24. (a) The [director] chief administrator shall register farm tractors and traction equipment used for farm operation to travel upon the public highways. The fee for [such] registration shall be \$5 per annum, whether the registration is issued for the yearly period or

only a portion thereof. [Such traction] Traction equipment or farm tractors may draw farm machinery and implements while in transit from one farm to another without additional registration therefor.

(b) The [director] chief administrator may register motor vehicles, not for hire, used exclusively as farm machinery or farm implements, to travel upon the public highways, from one farm, or portion thereof, to another farm, or portion thereof, both owned or managed by the registered owner of the vehicle or vehicles. The fee for [such] registration shall be \$5 per annum, whether the registration is issued for a yearly period or only a portion thereof. Any vehicle [so] registered and any truck, van, sport utility vehicle, or similar vehicle registered pursuant to the provisions of [39:3-25 of this Title] R.S.39:3-25 may draw not more than one vehicle used exclusively on the farm and a vehicle so drawn need not be registered. A vehicle registered pursuant to this section or [to] R.S.39:3-25 may be used under contract with a municipality to remove snow upon a public highway.

(c) No vehicle registered pursuant to this section shall be operated on a public highway at any time from sunset to sunrise, except a vehicle being operated under contract with a municipality to remove snow or a vehicle equipped with proper safety lighting during the three hours before sunrise and the three hours after sunset. Every [such] vehicle registered pursuant to this section, when operated on a public highway, shall have means adequate to control the movement of [and] , to stop, and to hold [such] the vehicle on any up or down grade and shall be operated in accordance with uniform rules and regulations prescribed by the [Director of the Division of Motor Vehicles] chief administrator. [Such] The rules and regulations shall specify the coverings that may be used on the wheels of [such] vehicles[,] registered pursuant to this section; the days, hours, and conditions under which [such] vehicles registered pursuant to this section can be operated[,] the circumstance under which escort vehicles shall be required[,] the distance that may be traveled upon the public highways, which shall not be less than 50 miles; and [such] vehicle equipment or other requirements or restrictions as may be necessary to protect the safety of the users of the public highways.

Motor vehicles, not for hire, which are used exclusively as farm tractors, traction equipment, farm machinery, or farm implements which cannot be operated at a speed in excess of [20] 35 miles per hour shall not be required to be registered under this section.

(d) A slow moving vehicle emblem shall be affixed, in the manner prescribed by the chief administrator pursuant to section 3 of P.L. , c. (C.) (pending before the Legislature as this bill), to the rear of any motor vehicle, not for hire, used exclusively as a farm tractor, traction equipment, farm machinery, or farm implement, and any farm tractor, traction equipment, farm machinery, or farm implement drawn by a motor vehicle when operated on the roadways of this State. A motor vehicle, not for hire, used exclusively as a farm tractor, traction equipment, farm machinery, or farm implement or any farm tractor, traction equipment, farm machinery, or farm implement drawn by a motor vehicle shall not be operated on the roadways of this State unless a slow moving vehicle emblem is displayed in the manner prescribed by the chief administrator pursuant to section 3 of P.L. , c. (C.) (pending before the Legislature as this bill).

(e) As used in this section, the term "sport utility vehicle" means any vehicle that is designed to be used both on and off roadways and is equipped with available all wheel drive and raised ground clearance.

(cf: P.L.1996, c.119, s.1)

2. R.S.39:3-25 is amended to read as follows:

39:3-25. In addition to the motor vehicle licenses authorized to be issued pursuant to the provisions of this chapter, the chief administrator shall issue, upon application therefor, a license plate for trucks, vans, sport utility vehicles, or similar vehicles marked "farmer," which shall be issued upon evidence satisfactory to the chief administrator that the applicant is a farmer and is actually engaged in the growing, raising, and producing of farm products as an occupation. License plates issued under authority of this section shall be placed upon motor trucks, vans, sport utility vehicles, or similar vehicles engaged in the carrying or transportation of farm products, and farm supplies, and not engaged in hauling for hire, except for a truck, van, sport utility vehicle, or similar vehicle being operated under contract with a municipality to remove snow.

Applicants for license plates herein authorized shall pay a registration fee of \$25 plus \$4.25 for each 1,000 pounds or portion thereof in excess of 5,000 pounds. If the registration cycle established by the chief administrator is for more or less than 11 months, applicants shall pay amounts proportionately less or greater than the fees established by law.

Except as otherwise provided in this section, every registration for a farm truck, van, sport utility vehicle, or similar vehicle shall expire and the certificate thereof shall become void on the last day of the [eleventh] 11th calendar month following the month in which the certificate was issued; except that the chief administrator may require registrations which shall expire, and issue certificates thereof which shall become void, on a date fixed by the chief administrator, which shall not be sooner than three months or later than 26 months after the date of issuance of such certificates, and the fees for [such] registrations, including any other fees or charges collected in connection with the registration fee, shall be fixed by the chief administrator in amounts proportionately less or greater than the fees established by law. The chief administrator may fix the expiration date for registration certificates at a date other than 11 months if the chief administrator determines that [such] a change is necessary, appropriate or convenient in order to aid in implementing the vehicle inspection requirements of chapter 8 of Title 39 or for other good cause.

The term "farmer" as used in this section means any person engaged in the commercial raising, growing, and producing of farm products on a farm not less than five acres in area; the term "farm products" means any crop, livestock, or fur products; and the term "farm supplies" means any farm-related supply or repair item.

As used in this section, the term "sport utility vehicle" means any vehicle that is designed to be used both on and off roadways and is equipped with available all wheel drive and raised ground clearance.

(cf: P.L.2005, c.76, s.1)

3. (New section) a. The Chief Administrator of the New Jersey Motor Vehicle Commission shall design a slow moving vehicle emblem to be affixed to the rear of any motor vehicle, not for hire, used exclusively as a farm tractor, traction equipment, farm machinery, or farm implement, and any farm tractor, traction equipment, farm machinery, or farm implement drawn by a motor vehicle. The chief administrator may charge a fee for the emblems not to exceed the actual cost of producing and distributing the emblems. The emblems shall be displayed in a manner prescribed by the chief administrator and shall be visible to other motorists when operated on the roadways of this State

b. The chief administrator shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), and within 180 days following the date of enactment of P.L. , c. (C.) (pending before the Legislature as this bill), rules and regulations necessary to effectuate the purpose of P.L. , c. (C.) (pending before the

Legislature as this bill), including, but not limited to, the standards and specifications for the design and placement of the slow moving vehicle emblems.

c. The chief administrator, in consultation with the Division of Highway Traffic Safety in the Department of Law and Public Safety, shall establish a Statewide educational campaign to promote roadway safety in rural areas of the State which shall include educating people on the laws concerning vehicles with slow moving vehicle emblems.

4. (New section) The Department of Agriculture, in consultation with the Chief Administrator of the New Jersey Motor Vehicle Commission, shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), and within 180 days following the date of enactment of P.L. , c. (C.) (pending before the Legislature as this bill), rules and regulations defining the term "farm implement." The definition of "farm implement" shall include, but is not limited to, tractors, hay wagons, and farm machinery.

5. (New section) a. The driver of a motor vehicle traveling in the same direction as and approaching a slow moving vehicle shall, prior to overtaking the slow moving vehicle, reduce the speed of the motor vehicle to that of the slow moving vehicle. This provision shall not apply in areas where there are two or more lanes of traffic flowing in the same direction as the slow moving vehicle.

b. For purpose of this section, "slow moving vehicle" means a vehicle affixed with a slow moving vehicle emblem pursuant to subsection (d) of R.S.39:3-24.

c. A person who violates the provisions of this section shall be subject to a fine of not less than \$100 or more than \$500.

6. (New section) a. The Chief Administrator of the New Jersey Motor Vehicle Commission shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), and within 180 days following the date of enactment of P.L. , c. (C.) (pending before the Legislature as this bill), rules and regulations for the registration of self-propelled sprayers in this State. In adopting these rules and regulations, the chief administrator shall consult with members of the commercial custom applicator industry, the fertilizer industry, and the pesticide industry.

b. For the purposes of this section, "self-propelled sprayer" means any vehicle that is self-propelled and designed to apply fertilizer, pesticide, or any other appropriate substance on farmland.

7. Section 1 of P.L.1973, c.6 (C.39:3-26.1) is amended to read as follows:

Any self-propelled vehicle or vehicles which are used or intended to be used solely upon the private property of one person, and which would otherwise be required to be registered under this title in order to operate upon a public highway, may be allowed, subject to the provisions of this act, to cross a public highway for the purpose of gaining access from one portion of [such] private property to another, without the necessity of complying with the registration requirements of this title, upon issuance of a crossing permit by the [director] chief administrator and subject to compliance with the terms and conditions of [such] the permit.

Nothing in this section shall be construed to prevent or prohibit the registration of any self-propelled sprayer pursuant to the provisions of section 6 of P.L. , c. (C.) (pending before the Legislature as this bill).

(cf: P.L.1973, c.6, s.1)

8. This act shall take effect on the January 1 following the date of enactment. The Chief Administrator of the New Jersey Motor Vehicle Commission, the Secretary of Agriculture, and the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety shall take anticipatory acts in advance of the effective date as may be necessary for the timely implementation of this act.