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SENATE BILL NO. 186

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Transportation
on January 27, 2022)

(Patron Prior to Substitute—Senator Hanger)

A *BILL to amend and reenact §§ 46.2-665, 46.2-666, 46.2-670, 46.2-672, and 46.2-673 of the Code of Virginia and to amend the Code of Virginia by adding in Article 6 of Chapter 6 of Title 46.2 a section numbered 46.2-684.2, relating to Department of Motor Vehicles; permanent farm use placard.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-665, 46.2-666, 46.2-670, 46.2-672, and 46.2-673 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 6 of Chapter 6 of Title 46.2 a section numbered 46.2-684.2 as follows:

§ 46.2-665. Vehicles used for agricultural or horticultural purposes.

A. No person shall be required to obtain the registration certificate, license plates, or decals for or pay a registration fee for any motor vehicle, trailer, or semitrailer used exclusively for agricultural or horticultural purposes on lands owned or leased by the vehicle's owner.

B. This exemption shall only apply to (i) pickup or panel trucks, (ii) sport utility vehicles, (iii) vehicles having a gross vehicle weight rating greater than 7,500 pounds, and (iv) trailers and semitrailers that are not operated on or over any public highway in the Commonwealth for any purpose other than:

1. Crossing a highway;

2. Operating along a highway for a distance of no more than 75 miles from one part of the owner's land to another, irrespective of whether the tracts adjoin;

3. Taking the vehicle or attached fixtures to and from a repair shop for repairs;

4. Taking another vehicle exempt from registration under any provision of §§ 46.2-664 through 46.2-668 or 46.2-672, or any part or subcomponent of such a vehicle, to or from a repair shop for repairs, including return trips;

5. Operating along a highway to and from a refuse disposal facility for the purpose of disposing of trash and garbage generated on a farm;

6. Operating along a highway for a distance of no more than 75 miles for the purpose of obtaining supplies for agricultural or horticultural purposes, seeds, fertilizers, chemicals, or animal feed and returning; or

7. Transporting the vehicle's owner between his residence and the lands being used for agricultural or horticultural purposes.

C. ~~Any law-enforcement officer may require any person operating~~ *The owner or lessee of a vehicle, trailer, or semitrailer and claiming the exemption provided pursuant to this section to provide, upon request, the address of the lands owned or leased by the vehicle's owner for agricultural or horticultural purposes and the address of the residence address of the vehicle's owner. If such address is unavailable or unknown, the law-enforcement officer may require such person to provide the real property parcel identification number of such lands shall be required to obtain a permanent farm use placard pursuant to § 46.2-684.2.*

§ 46.2-666. Vehicles used for seasonal transportation of farm produce and livestock.

No person shall be required to obtain the registration certificate, license plates, or decals for or pay a registration fee prescribed for any motor vehicle, trailer, or semitrailer owned by the owner or lessee of a farm and used by him on a seasonal basis in transporting farm produce and livestock along public highways for a distance of no more than 75 miles including the distance to the nearest storage house, packing plant, or market. The provisions of this section shall only apply to (i) pickup or panel trucks, (ii) sport utility vehicles, (iii) vehicles having a gross vehicle weight rating greater than 7,500 pounds, and (iv) trailers and semitrailers. ~~Any law-enforcement officer may require any person operating~~ *The owner or lessee of a vehicle, trailer, or semitrailer and claiming the exemption provided pursuant to this section to provide, upon request, the address of the farm owned or leased by the vehicle's owner. If such address is unavailable or unknown, the law-enforcement officer may require such person to provide the real property parcel identification number of such lands shall be required to obtain a permanent farm use placard pursuant to § 46.2-684.2.*

§ 46.2-670. Vehicles owned by farmers and used to transport certain wood products.

No person shall be required to obtain the registration certificate, license plates, or decals for or pay a registration fee for any motor vehicle, trailer, or semitrailer owned by a farm owner when the vehicle is operated or moved along a highway for no more than 75 miles between a sawmill or sawmill site and his farm to transport sawdust, wood shavings, slab wood, and other wood wastes. The provisions of this

60 section shall only apply to (i) pickup or panel trucks, (ii) sport utility vehicles, (iii) vehicles having a
61 gross vehicle weight rating greater than 7,500 pounds, and (iv) trailers and semitrailers. ~~Any~~
62 ~~law enforcement officer may require any person operating~~ *The owner or lessee of a vehicle, trailer, or*
63 ~~semitrailer and claiming the exemption provided pursuant to this section to provide, upon request, the~~
64 ~~address of the farm owned by the vehicle's owner. If such address is unavailable or unknown, the~~
65 ~~law enforcement officer may require such person to provide the real property parcel identification~~
66 ~~number of such lands shall be required to obtain a permanent farm use placard pursuant to~~
67 ~~§ 46.2-684.2.~~

68 **§ 46.2-672. Certain vehicles transporting fertilizer, cotton, or peanuts.**

69 No person shall be required to obtain the registration certificate, license plates, or decals for or pay a
70 registration fee for any motor vehicle or trailer, semitrailer, or fertilizer spreader drawn by a farm tractor
71 used by a farmer, his tenant, agent or employee or a cotton ginner, peanut buyer, or fertilizer distributor
72 to transport unginced cotton, peanuts, or fertilizer owned by the farmer, cotton ginner, peanut buyer, or
73 fertilizer distributor from one farm to another, from farm to gin, from farm to dryer, from farm to
74 market, or from fertilizer distributor to farm and on return to the distributor. *The owner or lessee of a*
75 *vehicle, trailer, or semitrailer claiming the exemption provided pursuant to this section shall be required*
76 *to obtain a permanent farm use placard pursuant to § 46.2-684.2.*

77 The provisions of this section shall not apply to vehicles operated on a for-hire basis.

78 **§ 46.2-673. Return trips of exempted farm vehicles.**

79 No person shall be required to obtain the registration certificate, license plates, or decals for or pay a
80 registration fee for any farm vehicle exempted from registration under the provisions of this article when
81 that vehicle is:

- 82 1. Making a return trip from any marketplace;
- 83 2. Transporting back to a farm ordinary and essential food and other products for home and farm
84 use; or
- 85 3. Transporting supplies to the farm.

86 *The owner or lessee of a vehicle, trailer, or semitrailer claiming the exemption provided pursuant to*
87 *this section shall be required to obtain a permanent farm use placard pursuant to § 46.2-684.2.*

88 **§ 46.2-684.2. Permanent farm use placards.**

89 A. *For the purposes of this section, "farm use placard" means a device containing letters, numerals,*
90 *or a combination of both attached to a vehicle that is used for one of the exempt purposes set forth in*
91 *§ 46.2-665, 46.2-666, 46.2-670, 46.2-672, or 46.2-673.*

92 B. *An owner or lessee of a farm vehicle claiming an exemption for a farm vehicle provided pursuant*
93 *to § 46.2-665, 46.2-666, 46.2-670, 46.2-672, or 46.2-673 shall obtain a farm use placard from the*
94 *Department and display such placard on the vehicle at all times. Such farm use placard shall be*
95 *permanent and valid for so long as the owner or lessee uses the vehicle for an exempt purpose and*
96 *shall not require renewal.*

97 C. *Application for a permanent farm use placard shall be made on a form provided by the*
98 *Department and shall include:*

- 99 1. *The name of the owner or lessee of the vehicle for which the exemption is claimed;*
- 100 2. *The location and acreage of each farm on which the vehicle is to be used;*
- 101 3. *The type of agricultural commodities, poultry, dairy products, or livestock produced on such farms*
102 *and the approximate amounts produced annually;*
- 103 4. *A statement, signed by the owner or lessee, that the vehicle shall only be used for one or more of*
104 *the exempt purposes set forth in § 46.2-665, 46.2-666, 46.2-670, 46.2-672, or 46.2-673; and*
- 105 5. *A statement, signed by the owner or lessee, that the vehicle is an insured motor vehicle as defined*
106 *in § 46.2-705 or is insured by a policy authorized pursuant to § 46.2-684.1.*

107 D. *The Department may charge a fee of \$15 for a farm use placard. All fees collected by the*
108 *Commissioner pursuant to this section shall be paid into the state treasury and set aside as a special*
109 *fund to be used to meet the expenses of the Department.*

110 E. *Farm use placards are nontransferable.*

111 F. *An owner or lessee of a farm use vehicle shall return the farm use placard to the Department*
112 *within 30 days of the vehicle ceasing to be used for one or more of the exempt purposes set forth in*
113 *§ 46.2-665, 46.2-666, 46.2-670, 46.2-672, or 46.2-673.*

114 **2. That the provisions of this act requiring the owner or lessee of a farm vehicle claiming an**
115 **exemption for a farm vehicle provided pursuant to § 46.2-665, 46.2-666, 46.2-670, 46.2-672, or**
116 **46.2-673 of the Code of Virginia, as amended by this act, to obtain a farm use placard from the**
117 **Department of Motor Vehicles and to display such placard on the vehicle at all times shall become**
118 **effective on July 1, 2023.**