

1 and recreational vehicle when driven or moved upon a highway is
2 subject to the registration and certificate of title provisions of
3 this chapter except:

4 (1) Any vehicle driven or moved upon a highway in conformance
5 with the provisions of this chapter relating to manufacturers,
6 transporters, dealers, lienholders or nonresidents or under a
7 temporary registration permit issued by the division as authorized
8 under this chapter;

9 (2) Any implement of husbandry upon which is securely attached
10 a machine for spraying fruit trees and plants of the owner or
11 lessee or for any other implement of husbandry which is used
12 exclusively for agricultural or horticultural purposes on lands
13 owned or leased by the owner of the implement and which is not
14 operated on or over any public highway of this state for any other
15 purpose other than for the purpose of operating it across a highway
16 or along a highway other than an expressway as designated by the
17 Commissioner of the Division of Highways from one point of the
18 owner's land to another part of the owner's land, irrespective of
19 whether or not the tracts adjoin: *Provided,* That the distance
20 between the points may not exceed thirty-five miles, or for the
21 purpose of taking it or other fixtures attached to the implement,
22 to and from a repair shop for repairs. The exemption in this
23 subdivision from registration and license requirements also applies
24 to any vehicle described in this subsection or to any farm trailer

1 owned by the owner or lessee of the farm on which the trailer is
2 used, when the trailer is used by the owner of the trailer for the
3 purpose of moving farm produce and livestock from the farm along a
4 public highway for a distance not to exceed thirty-five miles to a
5 storage house or packing plant, when the use is a seasonal
6 operation:

7 (A) The exemptions contained in this section also apply to
8 farm machinery, tractors and mini-trucks: *Provided*, That the
9 machinery, tractors and mini-trucks may use the highways in going
10 from one tract of land to another tract of land regardless of
11 whether the land is owned by the same or different persons. For
12 the purposes of this section, mini-truck means a
13 foreign-manufactured import or domestic-manufactured vehicle
14 designed primarily for off-road use and powered by an engine
15 ranging in size from 550cc to 660cc and weighing approximately one
16 thousand eight hundred pounds;

17 (B) Any vehicle exempted under this subsection from the
18 requirements of annual registration certificate and license plates
19 and fees for the registration certificate and license plate may not
20 use the highways between sunset and sunrise unless the vehicle is
21 classified as a Class A motor vehicle with a farm-use exemption
22 under the provisions of section one, article ten of this chapter
23 and has a valid and current inspection sticker as required by the
24 provisions of article sixteen, chapter seventeen-c of this code and

1 is traveling from one tract of land to another over a distance of
2 thirty-five miles or less;

3 (C) Any vehicle exempted under this section from the
4 requirements of annual registration certificate and license plates
5 may use the highways as provided in this section whether the exempt
6 vehicle is self-propelled, towed by another exempt vehicle or towed
7 by another vehicle required to be registered;

8 (D) Any vehicle used as an implement of husbandry exempt under
9 this section shall have the words "farm use" affixed to both sides
10 of the implement in ten-inch letters. Any vehicle which would be
11 subject to registration as a Class A or B vehicle if not exempted
12 by this section shall display a farm-use exemption certificate on
13 the lower driver's side of the windshield:

14 (i) The farm-use exemption certificate shall be provided by
15 the commissioner and shall be issued annually by the assessor of
16 the applicant's county of residence. The assessor shall issue a
17 farm-use exemption certificate to the applicant upon his or her
18 determination pursuant to an examination of the property books or
19 documentation provided by the applicant that the vehicle has been
20 properly assessed as Class I personal property. Nothing in this
21 section or any rule promulgated under the authority of chapter
22 twenty-nine-a of this code may be construed to require any
23 applicant for a renewal of a farm use exemption certificate to
24 appear personally before any assessor. The assessor shall charge

1 a fee of \$2 for each certificate, which shall be retained by the
2 assessor;

3 (ii) A farm-use exemption certificate shall not exempt the
4 applicant from maintaining the security required by chapter
5 seventeen-d of this code on any vehicle being operated on the roads
6 or highways of this state;

7 (iii) No person charged with the offense of operating a
8 vehicle without a farm-use exemption certificate, if required under
9 this section, may be convicted of the offense if he or she produces
10 in court, or in the office of the arresting officer, a valid
11 farm-use exemption certificate for the vehicle in question within
12 five days;

13 (3) Any vehicle which is propelled exclusively by electric
14 power obtained from overhead trolley wires though not operated upon
15 rails;

16 (4) Any vehicle of a type subject to registration which is
17 owned by the government of the United States;

18 (5) Any wrecked or disabled vehicle towed by a licensed
19 wrecker or dealer on the public highways of this state;

20 (6) The following recreational vehicles are exempt from the
21 requirements of annual registration, license plates and fees,
22 unless otherwise specified by law, but are subject to the
23 certificate of title provisions of this chapter regardless of
24 highway use: Motorboats, all-terrain vehicles, utility terrain

1 vehicles and snowmobiles; and

2 (7) Any special mobile equipment as defined in subsection (r),
3 section one, article one of this chapter.

4 (b) Notwithstanding the provisions of subsection (a) of this
5 section:

6 (1) Mobile homes or manufactured homes are exempt from the
7 requirements of annual registration, license plates and fees;

8 (2) House trailers may be registered and licensed; and

9 (3) Factory-built homes are subject to the certificate of
10 title provisions of this chapter.

11 (c) The division shall title and register low-speed vehicles
12 if the manufacturer's certificate of origin clearly identifies the
13 vehicle as a low-speed vehicle. The division may not title or
14 register homemade low-speed vehicles or retrofitted golf carts and
15 such vehicles do not qualify as low-speed vehicles in this state.
16 In addition to all other motor vehicle laws and regulations, except
17 as specifically exempted below, low-speed vehicles are subject to
18 the following restrictions and requirements:

19 (1) Low-speed vehicles shall only be operated on private roads
20 and on public roads and streets within the corporate limits of a
21 municipality where the speed limit is not more than twenty-five
22 miles per hour: Provided, That a municipality may authorize, by
23 ordinance, low-speed vehicles on private roads and on public roads
24 and streets within the corporate limits of a municipality where the

1 speed limit is not more than thirty-five miles per hour;

2 (2) Notwithstanding any provisions in this code to the
3 contrary, low-speed vehicles shall meet the requirements of 49
4 C.F.R. §571.500 (2003);

5 (3) In lieu of annual inspection, the owner of a low-speed
6 vehicle shall, upon initial application for registration and each
7 renewal thereafter, certify under penalty of false swearing, that
8 all lights, brakes, tires and seat belts are in good working
9 condition; and

10 (4) Any person operating a low-speed vehicle must hold a valid
11 driver's license, not an instruction permit.

NOTE: The purpose of this bill is to allow the use of
low-speed vehicles in municipalities with speed limits of
thirty-five miles per hour or less.

Strike-throughs indicate language that would be stricken from
the present law, and underscoring indicates new language that would
be added.