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## HOUSE BILL NO. 1883

Offered January 11, 2023

Prefiled January 10, 2023

A *BILL to amend and reenact §§ 46.2-613, 46.2-665, as it is currently effective and as it shall become effective, 46.2-666, as it is currently effective and as it shall become effective, 46.2-670, as it is currently effective and as it shall become effective, 46.2-672, as it shall become effective, and 46.2-673, as it shall become effective, of the Code of Virginia and to repeal § 46.2-684.2 of the Code of Virginia, relating to permanent farm use placards; repeal.*

Patron—Freitas

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 46.2-613, 46.2-665, as it is currently effective and as it shall become effective, 46.2-666, as it is currently effective and as it shall become effective, 46.2-670, as it is currently effective and as it shall become effective, 46.2-672, as it shall become effective, and 46.2-673, as it shall become effective, of the Code of Virginia are amended and reenacted as follows:**

**§ 46.2-613. Infractions relating to registration, licensing, and certificates of title; penalties.****A. No person shall:**

1. Operate, park, or permit the operation or parking of a motor vehicle, trailer, or semitrailer owned, leased, or otherwise controlled by him on a highway unless (i) it is registered, (ii) a certificate of title therefor has been issued, and (iii) it has displayed on it the license plate or plates and decal or decals, if any, assigned to it by the Department for the current registration period, subject to the exemptions mentioned in Article 5 (§ 46.2-655 et seq.) and Article 6 (§ 46.2-662 et seq.). The provisions of this subdivision shall apply to the registration, licensing, and titling of mopeds on or after July 1, 2014.

2. Possess or use any registration card, license plate, or decal to which he is not entitled or knowingly permit the use of any registration card, license plate, or decal by anyone not entitled to it.

3. Willfully and intentionally violate the limitations imposed under §§ 46.2-665, 46.2-666, ~~and 46.2-670, 46.2-672, and 46.2-673~~ while operating an unregistered vehicle pursuant to the agricultural and horticultural exemptions allowed under those sections. A first violation of this subdivision shall constitute a traffic infraction punishable by a fine of not more than \$250, and a second or subsequent violation of this subdivision shall constitute a traffic infraction punishable by a fine of \$250.

4. *Display a farm use tag, plate, or placard or otherwise claim an exemption pursuant to § 46.2-665, 46.2-666, 46.2-670, 46.2-672, or 46.2-673 to which he was not entitled while operating an unregistered vehicle on any highway. A first violation of this subdivision shall constitute a traffic infraction punishable by a fine of \$100; a second violation of this subdivision shall constitute a traffic infraction punishable by a fine of \$200; and a third or subsequent violation of this subdivision shall constitute a traffic infraction punishable by a fine of \$500.*

B. For any summons issued for a violation of this section, the court may, in its discretion, dismiss the summons, where proof of compliance with this section is provided to the court on or before the court date.

**§ 46.2-665. (Effective until July 1, 2023) 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;

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

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

64 *C. Any law-enforcement officer may require any person operating a vehicle, trailer, or semitrailer*  
65 *and claiming the exemption provided pursuant to this section to provide, upon request, the address of*  
66 *the lands owned or leased by the vehicle's owner for agricultural or horticultural purposes and the*  
67 *address of the residence address of the vehicle's owner. If such address is unavailable or unknown, the*  
68 *law-enforcement officer may require such person to provide the real property parcel identification*  
69 *number of such lands.*

70 **§ 46.2-665. (Effective July 1, 2023) Vehicles used for agricultural or horticultural purposes.**

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

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

77 1. Crossing a highway;

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

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

81 4. Taking another vehicle exempt from registration under any provision of §§ 46.2-664 through  
82 46.2-668 or 46.2-672, or any part or subcomponent of such a vehicle, to or from a repair shop for  
83 repairs, including return trips;

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

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

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

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

99 **§ 46.2-666. (Effective until July 1, 2023) Vehicles used for seasonal transportation of farm**  
100 **produce and livestock.**

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

112 **§ 46.2-666. (Effective July 1, 2023) Vehicles used for seasonal transportation of farm produce**  
113 **and livestock.**

114 No person shall be required to obtain the registration certificate, license plates, or decals for or pay a  
115 registration fee prescribed for any motor vehicle, trailer, or semitrailer owned by the owner or lessee of  
116 a farm and used by him on a seasonal basis in transporting farm produce and livestock along public  
117 highways for a distance of no more than 75 miles including the distance to the nearest storage house,  
118 packing plant, or market. The provisions of this section shall only apply to (i) pickup or panel trucks,  
119 (ii) sport utility vehicles, (iii) vehicles having a gross vehicle weight rating greater than 7,500 pounds,  
120 and (iv) trailers and semitrailers. ~~The owner or lessee of a vehicle, trailer, or semitrailer claiming the~~

exemption provided pursuant to this section shall be required to obtain a permanent farm use placard pursuant to ~~§ 46.2-684.2~~. Any law-enforcement officer may require any person operating 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.

**§ 46.2-670. (Effective until July 1, 2023) 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 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 a vehicle, trailer, or semitrailer and claiming the exemption provided pursuant to this section to provide, upon request, the address of the farm owned 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.

**§ 46.2-670. (Effective July 1, 2023) 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 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. The owner or lessee of a vehicle, trailer, or semitrailer claiming the exemption provided pursuant to this section shall be required to obtain a permanent farm use placard pursuant to § 46.2-684.2. Any law-enforcement officer may require any person operating a vehicle, trailer, or semitrailer and claiming the exemption provided pursuant to this section to provide, upon request, the address of the farm owned 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.

**§ 46.2-672. (Effective July 1, 2023) Certain vehicles transporting fertilizer, cotton, or peanuts.**

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

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

**§ 46.2-673. (Effective July 1, 2023) Return trips of exempted farm vehicles.**

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

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

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

**2. That § 46.2-684.2 of the Code of Virginia is repealed.**

**3. That the Department of Agriculture and Consumer Services (the Department) shall convene a workgroup of relevant stakeholders, including representatives of the (i) Department of Motor Vehicles, (ii) law-enforcement community, and (iii) farming and agriculture community, to identify issues and develop recommendations for improvements regarding farm use vehicle exemptions from vehicle registration and the use and display of farm use vehicle tags. The Department shall report its findings and recommendations to the Chairmen of the House and Senate Committees on Transportation by November 1, 2023.**