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SENATE BILL NO. 1057

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance and Appropriations
on February 1, 2023)

(Patron Prior to Substitute—Senator Hanger)

A *BILL to amend and reenact §§ 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, 46.2-667, 46.2-670, as it is currently effective and as it shall become effective, 46.2-672, as it shall become effective, 46.2-673, as it is currently effective and as it shall become effective, and 46.2-684.2 of the Code of Virginia and to amend and reenact the second enactment of Chapter 51 and the second enactment of Chapter 52 of the Acts of Assembly of 2022, relating to farm use placards.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 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, 46.2-667, 46.2-670, as it is currently effective and as it shall become effective, 46.2-672, as it shall become effective, 46.2-673, as it is currently effective and as it shall become effective, and 46.2-684.2 of the Code of Virginia are amended and reenacted as follows:

§ 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 *other than pickup or panel trucks, sport utility vehicles, trailers, or semitrailers* 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 *and incidental refuse from the farmer's or his employee's home*;

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.

§ 46.2-665. (Effective 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 *other than pickup or panel trucks, sport utility vehicles, trailers, or semitrailers* 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 *and incidental refuse from the farmer's or his employee's home*;

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

60 returning; or

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

63 C. The owner or lessee of a ~~vehicle, trailer, or semitrailer~~ *pickup or panel truck or sport utility*
64 *vehicle* claiming the exemption provided pursuant to this section shall be required to obtain a permanent
65 farm use placard pursuant to § 46.2-684.2.

66 **§ 46.2-666. (Effective until July 1, 2023) Vehicles used for seasonal transportation of farm**
67 **produce and livestock.**

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

76 **§ 46.2-666. (Effective July 1, 2023) Vehicles used for seasonal transportation of farm produce**
77 **and livestock.**

78 No person shall be required to obtain the registration certificate, license plates, or decals for or pay a
79 registration fee prescribed for any motor vehicle, trailer, or semitrailer owned by the owner or lessee of
80 a farm and used by him on a seasonal basis in transporting farm produce and livestock along public
81 highways for a distance of no more than 75 miles ~~including the distance to the nearest or to a storage~~
82 ~~house, packing plant, or market.~~ The provisions of this section shall only apply to (i) pickup or panel
83 trucks; (ii) sport utility vehicles; (iii) vehicles *other than pickup or panel trucks, sport utility vehicles,*
84 *trailers, or semitrailers* having a gross vehicle weight rating greater than 7,500 pounds; and (iv) trailers
85 and semitrailers. The owner or lessee of a ~~vehicle, trailer, or semitrailer~~ *pickup or panel truck or sport*
86 *utility vehicle* claiming the exemption provided pursuant to this section shall be required to obtain a
87 permanent farm use placard pursuant to § 46.2-684.2.

88 **§ 46.2-667. Farm machinery and tractors.**

89 No person shall be required to obtain the registration certificate, license plates, or decals for or pay
90 the prescribed fee for any farm machinery or tractor when operated on a highway (i) between one tract
91 of land and another regardless of whether the land is owned by the same person or (ii) to and from a
92 repair shop for repairs.

93 *The owner or lessee of any farm machinery or tractor claiming the exemption provided pursuant to*
94 *this section shall not be required to obtain a permanent farm use placard pursuant to § 46.2-684.2.*

95 **§ 46.2-670. (Effective until July 1, 2023) Vehicles owned by farmers and used to transport**
96 **certain wood products.**

97 No person shall be required to obtain the registration certificate, license plates, or decals for or pay a
98 registration fee for any motor vehicle, trailer, or semitrailer owned by a farm owner when the vehicle is
99 operated or moved along a highway for no more than 75 miles between a sawmill or sawmill site and
100 his farm to transport sawdust, wood shavings, slab wood, and other wood wastes. The provisions of this
101 section shall only apply to (i) pickup or panel trucks; (ii) sport utility vehicles; (iii) vehicles *other than*
102 *pickup or panel trucks, sport utility vehicles, trailers, or semitrailers* having a gross vehicle weight
103 rating greater than 7,500 pounds; and (iv) trailers and semitrailers.

104 **§ 46.2-670. (Effective July 1, 2023) Vehicles owned by farmers and used to transport certain**
105 **wood products.**

106 No person shall be required to obtain the registration certificate, license plates, or decals for or pay a
107 registration fee for any motor vehicle, trailer, or semitrailer owned by a farm owner when the vehicle is
108 operated or moved along a highway for no more than 75 miles between a sawmill or sawmill site and
109 his farm to transport sawdust, wood shavings, slab wood, and other wood wastes. The provisions of this
110 section shall only apply to (i) pickup or panel trucks; (ii) sport utility vehicles; (iii) vehicles *other than*
111 *pickup or panel trucks, sport utility vehicles, trailers, or semitrailers* having a gross vehicle weight
112 rating greater than 7,500 pounds; and (iv) trailers and semitrailers. The owner or lessee of a ~~vehicle,~~
113 ~~trailer, or semitrailer~~ *pickup or panel truck or sport utility vehicle* claiming the exemption provided
114 pursuant to this section shall be required to obtain a permanent farm use placard pursuant to
115 § 46.2-684.2.

116 **§ 46.2-672. (Effective July 1, 2023) Certain vehicles transporting fertilizer, cotton, or peanuts.**

117 No person shall be required to obtain the registration certificate, license plates, or decals for or pay a
118 registration fee for any motor vehicle or trailer, semitrailer, or fertilizer spreader drawn by a farm tractor
119 used by a farmer, his tenant, agent or employee or a cotton ginner, peanut buyer, or fertilizer distributor
120 to transport unginced cotton, peanuts, or fertilizer owned by the farmer, cotton ginner, peanut buyer, or
121 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 pickup or panel truck or sport utility vehicle 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 until 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, *including procuring a meal for a farmer or his employees*, and other products for home and farm use *while engaged in activities allowed in this chapter*; or
3. Transporting supplies to the farm.

§ 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, *including procuring a meal for a farmer or his employees*, and other products for home and farm use *while engaged in activities allowed in this chapter*; or
3. Transporting supplies to the farm.

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

§ 46.2-684.2. Permanent farm use placards.

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

B. (Effective until July 1, 2023) ~~Such~~ All farm use placard placards shall be permanent and valid for so long as the owner or lessee uses the vehicle for an exempt purpose and shall not require renewal.

B. (Effective July 1, 2023) An owner or lessee of a farm vehicle claiming an exemption for a farm vehicle provided pursuant 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 Department and display such placard on the vehicle at all times. *The provisions of this section shall not apply to vehicles having a gross vehicle weight rating greater than 7,500 pounds, trailers, or semitrailers used exclusively as set forth in § 46.2-665, 46.2-666, 46.2-670, 46.2-672, or 46.2-673.* Such farm use placard shall be permanent and valid for so long as the owner or lessee uses the vehicle for an exempt purpose and shall not require renewal.

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

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

Such application shall not request any additional information not required pursuant to this subsection. Notwithstanding any other provision of law, the Department shall not release, except upon request by the farm use placard applicant, the guardian of such applicant, or the authorized agent of such applicant, or pursuant to a court order, any information obtained pursuant to this section.

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

E. Farm use placards are nontransferable.

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

G. *The Department shall not limit the number of placards that can be obtained at one time, provided*

183 *the applicant is lawfully entitled to such placards.*

184 **2. That the second enactment of Chapter 51 and the second enactment of Chapter 52 of the Acts**
185 **of Assembly of 2022 are amended and reenacted as follows:**

186 **2. That the provisions of this act requiring the owner or lessee of a farm vehicle claiming an**
187 **exemption for a farm vehicle provided pursuant to § 46.2-665, 46.2-666, 46.2-670, 46.2-672, or**
188 **46.2-673 of the Code of Virginia, as amended by this act, to obtain a farm use placard from the**
189 **Department of Motor Vehicles and to display such placard on the vehicle at all times shall become**
190 **effective on July 1, ~~2023~~ 2024.**