

# 39:3-25

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2005 **CHAPTER:** 76

**NJSA:** 39:3-25 (Permits expanded use of farm vehicles)

**BILL NO:** A1607 (Substituted for S592)

**SPONSOR(S):** Fisher and Burzichelli

**DATE INTRODUCED:** Pre-filed

**COMMITTEE:** **ASSEMBLY:** Transportation  
**SENATE:**

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:** **ASSEMBLY:** December 13, 2004

**SENATE:** March 14, 2005

**DATE OF APPROVAL:** April 26, 2005

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) (1st reprint enacted)

**A1607**

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** **ASSEMBLY:** [Yes](#)

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**S592**

[SPONSOR'S STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** **ASSEMBLY:** No

**SENATE:** [Yes](#)

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

IS 5/11/07

P.L. 2005, CHAPTER 76, *approved April 26, 2005*  
Assembly, No. 1607 (*First Reprint*)

1 AN ACT concerning the licensing of certain farm trucks <sup>1</sup>[.] and<sup>1</sup>  
2 amending R.S.39:3-25 <sup>1</sup>[ and supplementing Title 39 of the  
3 Revised Statutes]<sup>1</sup>.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

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

9 39:3-25. In addition to the motor vehicle licenses authorized to be  
10 issued pursuant to the provisions of this chapter, the [director]  
11 administrator shall issue, upon application therefor, a license plate for  
12 trucks marked "farmer," which shall be issued upon evidence  
13 satisfactory to the [director] administrator that the applicant is a  
14 farmer and is actually engaged in the growing, raising and producing  
15 of farm products as an occupation. License plates issued under  
16 authority of this section shall be placed upon motor trucks engaged  
17 [exclusively] in the carrying or transportation of [applicant's] farm  
18 products, [raised or produced on his farm,] and farm supplies, and not  
19 engaged in hauling for hire, except for a truck being operated under  
20 contract [with a municipality] <sup>1</sup>with a municipality<sup>1</sup> to remove snow.

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

27 Except as otherwise provided in this section, every registration for  
28 a farm truck shall expire and the certificate thereof shall become void  
29 on the last day of the eleventh calendar month following the month in  
30 which the certificate was issued; except that the [director]  
31 administrator may require registrations which shall expire, and issue  
32 certificates thereof which shall become void, on a date fixed by the  
33 [director] administrator, which shall not be sooner than three months  
34 or later than 26 months after the date of issuance of such certificates,  
35 and the fees for such registrations, including any other fees or charges  
36 collected in connection with the registration fee, shall be fixed by the  
37 [director] administrator in amounts proportionately less or greater  
38 than the fees established by law. The [director] administrator may fix  
39 the expiration date for registration certificates at a date other than 11

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly ATR committee amendments adopted February 19, 2004.

1 months if the ~~[director]~~ administrator determines that such change is  
2 necessary, appropriate or convenient in order to aid in implementing  
3 the vehicle inspection requirements of chapter 8 of Title 39 or for  
4 other good cause.

5 The term "farmer" as used in this section means any person engaged  
6 in the commercial raising, growing and producing of farm products on  
7 a farm not less than five acres in area~~], and who does not engage in~~  
8 ~~the business of buying farm products for resale]; [and]~~ the term "farm  
9 products" means any crop, livestock or fur products; and the term  
10 "farm supplies" means any <sup>1</sup>~~[farm related]~~ farm-related<sup>1</sup> supply or  
11 repair item.

12 (cf: P.L.1996, c.119, s.2)

13

14 <sup>1</sup>[2. (New section) The holder of a license plate issued pursuant  
15 to R.S. 39:3-25 may apply for a emblem which shall permit the owner  
16 or operator to operate the vehicle as a commercial vehicle. The  
17 emblem shall permit the owner or operator to use the vehicle for  
18 purposes such as transportation of goods, wares and merchandise, or  
19 in a manner to obtain compensation or profit.

20 Applicants for emblems herein authorized shall pay the same  
21 registration fees set forth in R.S.39:3-20. Any person who registers  
22 under this section shall affix a sticker or other identifying emblem  
23 issued by the commission to the license plate marked "farmer" in a  
24 manner and place as prescribed by the administrator in order to  
25 indicate that the vehicle is licensed at the rates set forth in R.S.39:3-  
26 20.

27 The administrator shall by rule and regulation provide reapplication  
28 and renewal procedures.]<sup>1</sup>

29

30 <sup>1</sup>[3.] 2.<sup>1</sup> This act shall take effect on the first day of the third  
31 month after enactment <sup>1</sup>[, but the Chief Administrator of the New  
32 Jersey Motor Vehicle Commission may take such administrative  
33 actions as are necessary to effectuate the act]<sup>1</sup>.

34

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37

38 Permits expanded use of farm vehicles.

# ASSEMBLY, No. 1607

## STATE OF NEW JERSEY 211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

**Sponsored by:**

**Assemblyman DOUGLAS H. FISHER**

**District 3 (Salem, Cumberland and Gloucester)**

**Assemblyman JOHN J. BURZICHELLI**

**District 3 (Salem, Cumberland and Gloucester)**

**SYNOPSIS**

Permits expanded use of farm vehicles.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



A1607 FISHER, BURZICHELLI

2

1 AN ACT concerning the licensing of certain farm trucks, amending  
2 R.S.39:3-25 and supplementing Title 39 of the Revised Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. R.S.39:3-25 is amended to read as follows:

8 39:3-25. In addition to the motor vehicle licenses authorized to be  
9 issued pursuant to the provisions of this chapter, the [director]  
10 administrator shall issue, upon application therefor, a license plate for  
11 trucks marked "farmer," which shall be issued upon evidence  
12 satisfactory to the [director] administrator that the applicant is a  
13 farmer and is actually engaged in the growing, raising and producing  
14 of farm products as an occupation. License plates issued under  
15 authority of this section shall be placed upon motor trucks engaged  
16 [exclusively] in the carrying or transportation of [applicant's] farm  
17 products, [raised or produced on his farm,] and farm supplies, and not  
18 engaged in hauling for hire, except for a truck being operated under  
19 contract [with a municipality] to remove snow.

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

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

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 The term "farmer" as used in this section means any person engaged  
2 in the commercial raising, growing and producing of farm products on  
3 a farm not less than five acres in area[, and who does not engage in  
4 the business of buying farm products for resale]; [and] the term "farm  
5 products" means any crop, livestock or fur products; and the term  
6 "farm supplies" means any farm related supply or repair item.  
7 (cf: P.L.1996, c.119, s.2)

8  
9 2. (New section) The holder of a license plate issued pursuant to  
10 R.S. 39:3-25 may apply for a emblem which shall permit the owner or  
11 operator to operate the vehicle as a commercial vehicle. The emblem  
12 shall permit the owner or operator to use the vehicle for purposes such  
13 as transportation of goods, wares and merchandise, or in a manner to  
14 obtain compensation or profit.

15 Applicants for emblems herein authorized shall pay the same  
16 registration fees set forth in R.S. 39:3-20. Any person who registers  
17 under this section shall affix a sticker or other identifying emblem  
18 issued by the commission to the license plate marked "farmer" in a  
19 manner and place as prescribed by the administrator in order to  
20 indicate that the vehicle is licensed at the rates set forth in R.S. 39:3-  
21 20.

22 The administrator shall by rule and regulation provide reapplication  
23 and renewal procedures.

24  
25 3. This act shall take effect on the first day of the third month after  
26 enactment, but the Chief Administrator of the New Jersey Motor  
27 Vehicle Commission may take such administrative actions as are  
28 necessary to effectuate the act.

29  
30  
31 STATEMENT

32  
33 Under current law, farmers can only use their trucks exclusively for  
34 the limited purpose of carrying or transporting their own farm  
35 products or to remove snow for a municipality. This bill amends R.S.  
36 39:3-25 to allow farmers to carry or transport any farm products or  
37 farm supplies and allows farmers to operate their trucks under any  
38 contract to remove snow. Further, this bill eliminates the requirement  
39 that "farmer" plates be issued only to trucks exclusively engaged in the  
40 carrying or transporting of farm products, allowing a farmer to use a  
41 truck for other purposes.

42 In addition, this bill supplements Title 39 by allowing the holder of  
43 a license plate marked "farmer" the option of paying the same rates as  
44 commercial vehicles. Paying the higher commercial rate allows the  
45 farmer to use the vehicle for purposes such as transportation of goods  
46 or wares or any manner intended to obtain compensation or profit  
47 while still retaining the "farmer" identity of the tag. This allows  
48 farmers greater flexibility in the use of their trucks.

# ASSEMBLY TRANSPORTATION COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 1607**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: FEBRUARY 19, 2004

The Assembly Transportation Committee reports favorably and with committee amendments Assembly Bill No. 1607.

As reported, this amended bill amends R.S.39:3-25 to allow a farmer to operate his or her truck to carry or transport any farm products or farm supplies and to operate his or her truck under contract with a municipality to remove snow.

This bill was prefiled for introduction in the 2004-2005 session pending technical review which has been performed.

#### COMMITTEE AMENDMENTS

The bill as originally introduced provided that a farmer may operate his or her truck under any contract for snow removal, not just under contract with a municipality. The committee amended the bill to require that the contract to remove snow must be with a municipality. The committee also deleted any provisions relating to the operation of a farm truck as a commercial motor vehicle.



**SENATE, No. 592**

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**STATE OF NEW JERSEY**  
**211th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

**Sponsored by:**

**Senator STEPHEN M. SWEENEY**

**District 3 (Salem, Cumberland and Gloucester)**

**SYNOPSIS**

Permits expanded use of farm vehicles.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



S592 SWEENEY

2

1 AN ACT concerning the licensing of certain farm trucks, amending  
2 R.S.39:3-25 and supplementing Title 39 of the Revised Statutes.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. R.S.39:3-25 is amended to read as follows:

8 39:3-25. In addition to the motor vehicle licenses authorized to be  
9 issued pursuant to the provisions of this chapter, the [director]  
10 administrator shall issue, upon application therefor, a license plate for  
11 trucks marked "farmer," which shall be issued upon evidence  
12 satisfactory to the [director] administrator that the applicant is a  
13 farmer and is actually engaged in the growing, raising and producing  
14 of farm products as an occupation. License plates issued under  
15 authority of this section shall be placed upon motor trucks engaged  
16 [exclusively] in the carrying or transportation of [applicant's] farm  
17 products, [raised or produced on his farm,] and farm supplies, and not  
18 engaged in hauling for hire, except for a truck being operated under  
19 contract [with a municipality] to remove snow.

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

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

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 The term "farmer" as used in this section means any person engaged  
2 in the commercial raising, growing and producing of farm products on  
3 a farm not less than five acres in area[, and who does not engage in  
4 the business of buying farm products for resale]; [and] the term "farm  
5 products" means any crop, livestock or fur products; and the term  
6 "farm supplies" means any farm related supply or repair item.

7 (cf: P.L.1996, c.119, s.2)

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9 2. (New section) The holder of a license plate issued pursuant to  
10 R.S.39:3-25 may apply for a emblem which shall permit the owner or  
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12 shall permit the owner or operator to use the vehicle for purposes such  
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15 Applicants for emblems herein authorized shall pay the same  
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17 under this section shall affix a sticker or other identifying emblem  
18 issued by the commission to the license plate marked "farmer" in a  
19 manner and place as prescribed by the administrator in order to  
20 indicate that the vehicle is licensed at the rates set forth in R.S.39:3-  
21 20.

22 The administrator shall by rule and regulation provide reapplication  
23 and renewal procedures.

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25 3. This act shall take effect on the first day of the third month after  
26 enactment, but the Chief Administrator of the New Jersey Motor  
27 Vehicle Commission may take such administrative actions as are  
28 necessary to effectuate the act.

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30 STATEMENT

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32 Under current law, farmers can only use their trucks exclusively for  
33 the limited purpose of carrying or transporting their own farm  
34 products or to remove snow for a municipality. This bill amends R.S.  
35 39:3-25 to allow farmers to carry or transport any farm products or  
36 farm supplies and allows farmers to operate their trucks under any  
37 contract to remove snow. Further, this bill eliminates the requirement  
38 that "farmer" plates be issued only to trucks exclusively engaged in the  
39 carrying or transporting of farm products, allowing a farmer to use a  
40 truck for other purposes.

41 In addition, this bill supplements Title 39 by allowing the holder of  
42 a license plate marked "farmer" the option of paying the same rates as  
43 commercial vehicles. Paying the higher commercial rate allows the  
44 farmer to use the vehicle for purposes such as transportation of goods  
45 or wares or any manner intended to obtain compensation or profit  
46 while still retaining the "farmer" identity of the tag. This allows  
47 farmers greater flexibility in the use of their trucks.

# SENATE TRANSPORTATION COMMITTEE

## STATEMENT TO

### **SENATE, No. 592**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: OCTOBER 4, 2004

The Senate Transportation Committee reports favorably and with committee amendments Senate Bill No. 592.

As reported, this amended bill amends R.S.39:3-25 to allow a farmer to operate a truck with "farmer" license plates to carry or transport any farm products and farm supplies and to operate the truck under contract with a municipality to remove snow.

The bill as originally introduced provided that a farmer may operate the truck under any contract for snow removal, not just under contract with a municipality. The committee amended the bill to require that the contract to remove snow must be with a municipality. The committee also deleted any provisions relating to the operation of a farm truck as a commercial motor vehicle.

With these amendments, this bill is identical to A-1607 (1R) of 2004.

This bill was pre-filed for introduction in the 2004-2005 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.