

**20. Autocycles, as defined by N.J.S.A. 39:1-1 and registered pursuant to N.J.S.A. 39:3-10.34.**

CHAPTER 21  
LICENSING SERVICE

SUBCHAPTER 5. REGISTRATIONS

13:21-5.5 Motorcycle **and autocycle** registration fee

The applicant for registration for a motorcycle **or autocycle** shall pay to the Commission for each registration a fee of \$43.50.

SUBCHAPTER 8. DRIVER LICENSES

13:21-8.14 Vehicle used for road test

(a)-(e) (No change.)

**(f) The road test cannot be administered in an autocycle.**

**(a)**

**MOTOR VEHICLE COMMISSION**

**Licensing Service–Farm Vehicles**

**Proposed Amendments: N.J.A.C. 13:21-12.1, 12.3, and 12.4**

**Proposed New Rules: N.J.A.C. 13:21-12.10 and 12.11**

Authorized By: Raymond P. Martinez, Chairman, and Chief Administrator, Motor Vehicle Commission.

Authority: N.J.S.A. 39:2-3, 39:2A-2, 39:2A-21, 39:2A-28, 39:3-24, and 39:3-24.2; and P.L. 2015, c. 292.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2017-158.

Submit comments by October 6, 2017, to:

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The agency proposal follows:

**Summary**

This notice of proposal is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5. The public comment period for this notice of proposal will be 60 days, as this notice is not listed in the agency’s rulemaking calendar.

The Motor Vehicle Commission (Commission) proposes amendments to implement certain provisions of P.L. 2015, c. 292, which amended N.J.S.A. 39:3-24 (“Farm tractors, traction equipment; registration; operation; emblem; fee”) and 39:3-25 (“Farmer license plate, issuance, fee, expiration”). P.L. 2015, c. 292 requires the Commission to design a slow-moving vehicle emblem, adopt rules for the emblem’s specifications and placement, set the distance permitted to be travelled by vehicles registered under N.J.S.A. 39:3-24 upon the public roadways, and adopt rules for the registration of self-propelled sprayers.

N.J.A.C. 13:21-12.1 lists vehicles within the scope of the subchapter addressing the use of the public highways by vehicles registered as farm vehicles. N.J.A.C. 13:21-12.1 is proposed for amendment to delete the specific listing of vehicles included, so that the rule will include vans, sport utility vehicles, or similar vehicles engaged in the carrying or transportation of farm products and farm supplies, pursuant to P.L. 2015, c. 292.

N.J.A.C. 13:21-12.3, which addresses hours of travel and visibility requirements, is proposed for amendment to allow vehicles registered pursuant to N.J.S.A. 39:3-24 to operate three hours before sunrise and

after sunset, as long as the vehicle is equipped with proper safety lighting, consistent with P.L. 2015, c. 292.

The Commission proposes to amend N.J.A.C. 13:21-12.4, which currently restricts farm vehicle travel to 15 miles of highway, to allow farm vehicles to travel on public highways for a distance not exceeding 50 miles pursuant to P.L. 2015, c. 292.

The Commission proposes new N.J.A.C. 13:21-12.10 to provide specifications for slow-moving vehicle emblems and standards for the display of the emblems.

The Commission proposes new N.J.A.C. 13:21-12.11, which addresses the registration requirements for self-propelled sprayers, pursuant to P.L. 2015, c. 292.

**Social Impact**

The proposed amendments and new rules will have a positive social impact on the motoring public and on farmers and agricultural schools that need to move farm tractors, traction equipment, farm machinery, and farm implements on the public highways. The proposed amendments and new rules increase safety by increasing the visibility of farm vehicles traveling on the public highways, and also increase convenience to the agricultural community by adding other types of vehicles that may qualify for farmer plates, expanding the hours certain vehicles may travel on the public highways, and increasing the distance farm vehicles may travel on the public highways.

The proposed amendments and new rules also provide clarity and guidance regarding the registration of self-propelled sprayers.

**Economic Impact**

The proposed amendments and new rules will have a minimal economic impact on the agricultural community. Farmers who operate or tow farm vehicles on public highways will have to purchase a slow-moving vehicle emblem that meets certain specifications as set forth in the rules. The emblems are readily available and, on average, cost less than \$20.00 each. The safety precautions provided to the operators of farm vehicles and the motoring public far outweigh the minimal cost of purchasing slow moving vehicle emblems. In addition, the \$16.50 registration fee for self-propelled sprayers operated on public highways is modest, and justified in light of the public interest in registering vehicles traveling the public highways. There is no registration requirement for self-propelled sprayers that are operated exclusively on private property.

**Federal Standards Statement**

The proposed amendments and new rules have no comparable Federal standard that can be applied; therefore, a Federal standards analysis is not required for this rulemaking.

**Jobs Impact**

The Commission does not anticipate that the proposed amendments and new rules will have any impact on jobs in the agricultural community or the Commission. These proposed amendments and new rules merely expand the types of vehicles that are eligible for farmer plates, increase the time and distance certain vehicles can operate on public highways, and increase the safety of public highway travel.

**Agriculture Industry Impact**

The proposed amendments and new rules, which expand the types of vehicles that are eligible for farmer plates, increase the time and the distance certain vehicles may operate on public highways, allow for the registration of self-propelled sprayers, and increase safety by requiring slow-moving vehicle emblems, will have a positive impact on the agricultural industry in New Jersey in terms of increased safety and convenience. The only negative impact is the minimal cost of the slow-moving vehicle emblem and the registration fee for self-propelled sprayers, both of which are outweighed by the public benefits of these requirements, and the benefits to the agricultural community.

**Regulatory Flexibility Analysis**

The proposed amendments and new rules do not impose any reporting or recordkeeping requirements on small businesses. The proposed amendments and new rules do impose new compliance requirements on the agricultural industry in New Jersey, of which many are expected to be defined as small business pursuant to N.J.S.A. 52:14B-16 et seq.

Farm owners intending to operate or tow farm vehicles on public highways will be required to purchase and properly display slow-moving vehicle emblems on farm tractors, traction equipment, farm machinery, or farm implements and any farm tractors, traction equipment, farm machinery, or farm implements drawn by a motor vehicle while traveling on the public highways.

The initial compliance cost is difficult to estimate and will vary widely from farm to farm depending on the number of slow-moving vehicle emblems each farm needs to purchase. Slow-moving vehicle emblems are widely available for sale and cost, on average, under \$20.00 each, and may be transferred between vehicles. Accordingly, any cost of compliance is minimal and will not require the business to employ professional services.

Additionally, slow-moving vehicle emblems must meet certain standards established by the American Society of Agricultural Biological Engineers and be properly mounted to be an effective safety device. Accordingly, exemptions from all or part of the proposed amendments and new rules are not in the best interest of the public health, safety, or welfare.

**Housing Affordability Impact Analysis**

The proposed amendments and new rules will have no impact on the affordability of housing and will not evoke a change in the average costs associated with housing because the proposed amendments and new rules pertain solely to the operation of farm vehicles while traveling on public highways.

**Smart Growth Development Impact Analysis**

The proposed amendments and new rules will have no impact on smart growth and will not evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the proposed amendments and new rules pertain solely to the operation of farm vehicles while traveling on public highways.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 12. FARM VEHICLES

13:21-12.1 Vehicles exempted from statutory provisions

Within the restrictions listed in this [Subchapter] **subchapter**, vehicles registered under the provisions of N.J.S.A. 39:3-24 [(self-propelled farm tractors, traction equipment, farm machinery and implements being operated singly or while drawing other farm implements or machinery),] and [N.J.S.A.] 39:3-25 [(farmer trucks, while drawing a farm implement or machine)] may be operated on highways of this State singly or while drawing one piece of farm machinery or implement, except that a farm tractor may draw two pieces of farm machinery or implements, one of which may carry a load, and such vehicles or combinations in either case may exceed the commercial vehicle dimension limitations as provided for under N.J.S.A. 39:3-84.

13:21-12.3 Hours of travel; visibility requirements

(a) [Such vehicles as described in Section 12.1 (Vehicles exempted from statutory provisions) of this Chapter] **Vehicles registered pursuant to N.J.S.A. 39:3-24 shall not be operated on a public highway at any time between sunset and sunrise, except for vehicles being operated under contract with a municipality to remove snow or vehicles equipped with proper safety lighting, during the three hours before sunrise and the three hours after sunset.**

(b) (No change.)

13:21-12.4 Distance of travel

The vehicle or vehicles shall not be used to traverse a distance exceeding [15] **50** miles of highway in traveling from one farm or portion thereof, to another farm or portion thereof, both owned or managed by the registered owner of the vehicle or vehicles.

13:21-12.10 [(Reserved)] **Slow moving vehicle emblem**

(a) **A vehicle, not for hire, used exclusively as a farm tractor, traction equipment, farm machinery, or farm implement and any farm tractor, traction equipment, farm machinery, or farm**

**implement drawn by a motor vehicle traveling on the roads of this State, day or night, shall display a reflective slow moving vehicle emblem on the rear of the vehicle as specified in this section. The use of the slow moving vehicle emblem shall be in addition to any other lighting device or equipment required by this subchapter.**

1. **Characteristics. The slow-moving vehicle emblem's material, location, and mounting must be in accordance with American Society of Agricultural and Biological Engineers (ASABE) standards, must display the manufacturer's name and address on the emblem, and contain a statement that the emblem meets the standards of ASAE S276.5, as amended and supplemented. The slow-moving vehicle emblem must be visible from a distance of at least 600 feet, day or night, and must be clean, undamaged, and not faded.**

2. **Location. The slow-moving vehicle emblem must be visible from the rear of the vehicle with the triangle pointed upward, in the center of the vehicle or as near left-center as practical, two to six feet above the ground and securely attached, if not permanently mounted.**

3. **Towed vehicles. The slow-moving vehicle emblem shall be mounted on any farm tractor, traction equipment, farm machinery, or farm implement drawn by a motor vehicle unless the towing vehicle displays the emblem in such a manner as to be clearly visible.**

(b) **The provisions of (a) above shall not apply to vehicles traveling at speeds in excess of 25 miles per hour. For such vehicles, the slow-moving vehicle emblem shall be removed.**

13:21-12.11 **Self-propelled sprayers**

(a) **A self-propelled sprayer is defined as any vehicle that is self-propelled and designed to apply fertilizer, pesticide, or any other appropriate substance on farmland.**

(b) **Self-propelled sprayers shall be registered with the New Jersey Motor Vehicle Commission to operate upon a public highway, unless exempt by N.J.S.A. 39:3-26.1.**

(c) **An applicant for a self-propelled sprayer registration must present:**

1. **A notarized bill of sale containing the year, make, vehicle identification number, seller's and buyer's name and address, date of sale, and purchase price;**

2. **A pencil tracing or printed-out photograph of the vehicle identification number;**

3. **An executed BA-49, New Jersey Vehicle Registration Application; and**

4. **The appropriate registration fee.**

(d) **Self-propelled sprayers will not be issued a New Jersey certificate of title.**

(a)

**MOTOR VEHICLE COMMISSION**

**Licensing Service**

**Identification Cards for Nondrivers**

**Proposed Amendment: N.J.A.C. 13:21-16.1**

**Proposed New Rule: N.J.A.C. 13:21-16.5**

Authorized By: Raymond P. Martinez, Chairman, and Chief Administrator, Motor Vehicle Commission.

Authority: N.J.S.A. 39:2-3, 39:2A-28, and 39:3-29.9; and P.L. 2016, c. 99.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2017-161.

Submit comments by October 6, 2017, to:

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