

1 AN ACT relating to the transportation of agricultural commodities and supplies.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 281.730 is amended to read as follows:

4 (1) ***As used in this section:***

5 ***(a) "Agricultural commodity" means any agricultural commodity,***  
6 ***nonprocessed food, feed, fiber, or livestock;***

7 ***(b) "Farm supplies for agricultural purposes" means a product directly related***  
8 ***to the growing or harvesting of agricultural commodities; and***

9 ***(c) "Planting and harvesting season" means the period of time that begins on***  
10 ***January 1 and ends on December 31 of each year.***

11 **(2)** The secretary of the Transportation Cabinet may adopt by reference or set forth in  
12 its entirety the provisions of 49 C.F.R. *sec.*~~[*secs.*]~~ 350.341 and *pt.* 395 in effect as of  
13 July 15, 1986, or as amended with respect to any motor vehicle registered in  
14 Kentucky.

15 **(3) *The provisions of 49 C.F.R. pt. 395 adopted or set forth by the secretary of the***  
16 ***Transportation Cabinet shall not apply during Kentucky's planting and harvest***  
17 ***period to drivers transporting:***

18 **(a) *Agricultural commodities from the source of the agricultural commodities***  
19 ***to a location within a one hundred fifty (150) air-mile radius from the***  
20 ***source, or within the maximum radius from the source that is permitted by***  
21 ***federal law, whichever is greater;***

22 **(b) *Farm supplies for agricultural purposes from a wholesale or retail***  
23 ***distribution point of the farm supplies to a farm or other location where the***  
24 ***farm supplies are intended to be used within a one hundred fifty (150) air-***  
25 ***mile radius from the distribution point, or within the maximum radius from***  
26 ***the distribution point that is permitted by federal law, whichever is greater;***

27 ***or***

1        (c) Farm supplies for agricultural purposes from a wholesale distribution point  
 2        of the farm supplies to a retail distribution point of the farm supplies within  
 3        a one hundred fifty (150) air-mile radius from the wholesale distribution  
 4        point, or within the maximum radius from the wholesale distribution point  
 5        that is permitted by federal law, whichever is greater.

6        ~~[(2) The provisions of subsection (1) of this section pertaining to the maximum driving~~  
 7        ~~and on-duty time shall not apply to transporters of agricultural commodities or farm~~  
 8        ~~supplies for agricultural purposes if the transportation is limited to an area within a~~  
 9        ~~one hundred (100) air mile radius from the source of the commodities or~~  
 10       ~~distribution point for the farm supplies and is during Kentucky's planting and~~  
 11       ~~harvesting seasons. For the purposes of this subsection, Kentucky's planting and~~  
 12       ~~harvesting seasons shall mean January 1 to December 31 of each year.~~

13       ~~(3)~~(4)       The provisions of ~~[subsection (2) of ]~~this section shall be void if the Secretary  
 14       of the United States Department of Transportation determines through a rulemaking  
 15       proceeding that Section 345(a).(1.) of the National Highway System Designation  
 16       Act of 1995 presents a hazard to the traveling public.