

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 distribution~~
 10 ~~point for the farm supplies and is during Kentucky's planting and harvesting seasons.~~
 11 ~~For the purposes of this subsection, Kentucky's planting and harvesting seasons shall~~
 12 ~~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.