

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.