

ASSEMBLY, No. 3291

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED OCTOBER 7, 2010

Sponsored by:

Assemblyman JOHN DIMAIO

District 23 (Warren and Hunterdon)

Assemblywoman ALISON LITTELL MCHOSE

District 24 (Sussex, Hunterdon and Morris)

SYNOPSIS

Exempts agricultural driver's licensees from certain graduate driver law restrictions when operating farm equipment and vehicles.

CURRENT VERSION OF TEXT

As introduced.



A3291 DIMAIO, MCHOSE

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1 AN ACT concerning certain driver's licenses and amending
2 P.L.1942, c.324.

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

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7 1. Section 1 of P.L.1942, c.324 (C.39:3-11.1) is amended to
8 read as follows:

9 1. Any person, under seventeen years of age and not under
10 sixteen years of age, may be licensed to drive motor vehicles in
11 agricultural pursuits as herein limited; provided such person has
12 passed an examination satisfactory to the chief administrator as to
13 his ability as an operator and has successfully completed an
14 approved minimum six-hour behind-the-wheel driver training
15 course. The chief administrator, upon payment of the lawful fee
16 and after he or a person authorized by him has examined the
17 applicant and is satisfied of the applicant's ability as an operator,
18 may, in his discretion, license the applicant to drive any motor
19 vehicle which is registered under the provisions of R.S.39:3-24 and
20 R.S.39:3-25. The holder of an agricultural permit or license shall
21 be subject to the applicable requirements, restrictions, and penalties
22 for special learner's permit holders provided under section 6 of
23 P.L.1977, c.25 (C.39:3-13.2a), except that the holder of an
24 agricultural license shall be permitted to operate a motor vehicle
25 registered under the provisions of R.S.39:3-24 or R.S.39:3-25 for
26 farm related purposes without being accompanied by, and under the
27 supervision of, a licensed motor vehicle driver of this State over the
28 age of 21. Such registration shall expire on March thirty-first of
29 each year terminating the period for which such license is issued.
30 The annual license fee for such license shall be one dollar (\$1.00),
31 and is for the limited use herein provided, and is not to be used in
32 the operation of any other vehicle and shall have the name of the
33 licensee endorsed thereon in his own handwriting. The holder of an
34 agricultural license shall be entitled to a probationary driver's
35 license upon attaining the age of 17 years and shall be subject to
36 applicable restrictions and penalties in section 4 of P.L.1950, c.127
37 (C.39:3-13.4) as they pertain to a probationary driver's license
38 holder.

39 (cf: P.L.2009, c.38, s.4)

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41 2. This act shall take effect on the first day of the fourth month
42 following enactment.

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

Matter underlined thus is new matter.

STATEMENT

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This bill requires persons wishing to become holders of agricultural driving permits and licenses to successfully complete an approved minimum six-hour behind-the-wheel driver training course. The bill also establishes an exception to the existing law that holders of these licenses are subject to all the applicable requirements, restrictions and penalties set forth in section 6 of P.L.1977, c.25 (C.39:3-13.2a) for special learner's permit holders: Agricultural licensees may operate farm equipment and trucks for farm related purposes without being accompanied, or under the supervision, of a licensed New Jersey driver over the age of 21 years.

Agricultural driving permits and licenses have been in existence since 1942. These permits and licenses allow 16 year olds to operate farm equipment and trucks registered as farm vehicles while directly and exclusively engaged in farming activities.

Historically, these licensees were afforded the driving privileges of 17 year old licensees. When the graduated driver license program, which dramatically changed the scope of the driving privileges of new drivers, was enacted in 2001, the holders of these agricultural permits and licenses were subjected to the same driving restrictions and requirements as 16 year olds who have been issued special learner's permits. One of the key restrictions imposed on special permit holders is that they can only operate a vehicle while in the company and under the supervision of a licensed driver over the age of 21. This restriction makes an agricultural driver's license virtually useless. This bill would exempt agricultural driver's licensees from this restriction.

Each year approximately 150 agricultural driver's licenses are issued to 16 year olds. At 17, these licensees can go to a New Jersey Motor Vehicle Commission agency and, after passing the six point ID verification, be issued a probationary driver's license.