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HOUSE BILL 2921

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Morris and Hatfield

Read first time 01/26/96. Referred to Committee on Transportation.

1 AN ACT Relating to farm vehicles and driver's licenses required of  
2 tree farmers for hauling home-grown wood products from their own tree  
3 farms; and amending RCW 46.16.090 and 46.25.050.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 46.16.090 and 1989 c 156 s 3 are each amended to read  
6 as follows:

7 Motor trucks, truck tractors, and tractors may be specially  
8 licensed based on the declared gross weight thereof for the various  
9 amounts set forth in the schedule provided in RCW 46.16.070 less  
10 twenty-three dollars; divide the difference by two and add twenty-three  
11 dollars, when such vehicles are owned and operated by farmers, but only  
12 if the following condition or conditions exist:

13 (1) When such vehicles are to be used for the transportation of the  
14 farmer's own farm, orchard, or dairy products, or the farmer's own  
15 Christmas trees, wood products, or logs harvested from private tree  
16 farms and transported in vehicles weighing no more than fifty-four  
17 thousand pounds licensed gross vehicle weight and meeting the  
18 requirements of chapter 46.44 RCW, or the farmer's own private sector  
19 cultured aquatic products as defined in RCW 15.85.020, from point of

1 production to market or warehouse, and of supplies to be used on the  
2 farmer's farm. Fish other than those that are such private sector  
3 cultured aquatic products and forestry products are not considered as  
4 farm products; and/or

5 (2) When such vehicles are to be used for the infrequent or  
6 seasonal transportation by one farmer for another farmer in the  
7 farmer's neighborhood of products of the farm, orchard, dairy, or  
8 aquatic farm owned by the other farmer from point of production to  
9 market or warehouse, or supplies to be used on the other farm, but only  
10 if transportation for another farmer is for compensation other than  
11 money. Farmers shall be permitted an allowance of an additional eight  
12 thousand pounds, within the legal limits, on such vehicles, when used  
13 in the transportation of the farmer's own farm machinery between the  
14 farmer's own farm or farms and for a distance of not more than thirty-  
15 five miles from the farmer's farm or farms.

16 The department shall prepare a special form of application to be  
17 used by farmers applying for licenses under this section, which form  
18 shall contain a statement to the effect that the vehicle concerned will  
19 be used subject to the limitations of this section. The department  
20 shall prepare special insignia which shall be placed upon all such  
21 vehicles to indicate that the vehicle is specially licensed, or may, in  
22 its discretion, substitute a special license plate for such vehicle for  
23 such designation.

24 Operation of such a specially licensed vehicle in transportation  
25 upon public highways in violation of the limitations of this section is  
26 a traffic infraction.

27 **Sec. 2.** RCW 46.25.050 and 1995 c 393 s 1 are each amended to read  
28 as follows:

29 (1) Drivers of commercial motor vehicles shall obtain a commercial  
30 driver's license as required under this chapter by April 1, 1992. The  
31 director shall establish a program to convert all qualified commercial  
32 motor vehicle drivers by that date. After April 1, 1992, except when  
33 driving under a commercial driver's instruction permit and a valid  
34 automobile or classified license and accompanied by the holder of a  
35 commercial driver's license valid for the vehicle being driven, no  
36 person may drive a commercial motor vehicle unless the person holds and  
37 is in immediate possession of a commercial driver's license and

1 applicable endorsements valid for the vehicle they are driving.

2 However, this requirement does not apply to any person:

3 (a) Who is the operator of a farm vehicle, and the vehicle is:

4 (i) Controlled and operated by a farmer;

5 (ii) Used to transport either agricultural products, which in this  
6 section include Christmas trees (~~and~~), wood products, and logs  
7 harvested from private tree farms and transported by vehicles weighing  
8 no more than (~~forty~~) fifty-four thousand pounds licensed gross  
9 vehicle weight and meeting the requirements of chapter 46.44 RCW, farm  
10 machinery, farm supplies, or any combination of those materials to or  
11 from a farm;

12 (iii) Not used in the operations of a common or contract motor  
13 carrier; and

14 (iv) Used within one hundred fifty miles of the person's farm; or

15 (b) Who is a fire fighter or law enforcement officer operating  
16 emergency equipment, and:

17 (i) The fire fighter or law enforcement officer has successfully  
18 completed a driver training course approved by the director; and

19 (ii) The fire fighter or law enforcement officer carries a  
20 certificate attesting to the successful completion of the approved  
21 training course; or

22 (c) Who is operating a recreational vehicle for noncommercial  
23 purposes. As used in this section, "recreational vehicle" includes a  
24 vehicle towing a horse trailer for a noncommercial purpose.

25 (2) No person may drive a commercial motor vehicle while his or her  
26 driving privilege is suspended, revoked, or canceled, while subject to  
27 disqualification, or in violation of an out-of-service order.  
28 Violations of this subsection shall be punished in the same way as  
29 violations of RCW 46.20.342(1).

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