

281.730 Federal regulations on maximum driving and on-time duty -- Exemptions for agricultural commodities and farm supplies during planting and harvesting season.

- (1) As used in this section:
 - (a) "Agricultural commodity" means any agricultural commodity, nonprocessed food, feed, fiber, or livestock;
 - (b) "Farm supplies for agricultural purposes" means a product directly related to the growing or harvesting of agricultural commodities; and
 - (c) "Planting and harvesting season" means the period of time that begins on January 1 and ends on December 31 of each year.
- (2) The secretary of the Transportation Cabinet may adopt by reference or set forth in its entirety the provisions of 49 C.F.R. sec. 350.341 and pt. 395 in effect as of July 15, 1986, or as amended with respect to any motor vehicle registered in Kentucky.
- (3) The provisions of 49 C.F.R. pt. 395 adopted or set forth by the secretary of the Transportation Cabinet shall not apply during Kentucky's planting and harvesting season to drivers transporting:
 - (a) Agricultural commodities from the source of the agricultural commodities to a location within a one hundred fifty (150) air-mile radius from the source, or within the maximum radius from the source that is permitted by federal law, whichever is greater;
 - (b) Farm supplies for agricultural purposes from a wholesale or retail distribution point of the farm supplies to a farm or other location where the farm supplies are intended to be used within a one hundred fifty (150) air-mile radius from the distribution point, or within the maximum radius from the distribution point that is permitted by federal law, whichever is greater; or
 - (c) Farm supplies for agricultural purposes from a wholesale distribution point of the farm supplies to a retail distribution point of the farm supplies within a one hundred fifty (150) air-mile radius from the wholesale distribution point, or within the maximum radius from the wholesale distribution point that is permitted by federal law, whichever is greater.
- (4) The provisions of this section shall be void if the Secretary of the United States Department of Transportation determines through a rulemaking proceeding that Section 345(a)(1.) of the National Highway System Designation Act of 1995 presents a hazard to the traveling public.

Effective: July 14, 2018

History: Amended 2018 Ky. Acts ch. 102, sec. 1, effective July 14, 2018. -- Amended 2015 Ky. Acts ch. 19, sec. 20, effective June 24, 2015. -- Amended 2011 Ky. Acts ch. 88, sec. 3, effective March 16, 2011. -- Amended 1996 Ky. Acts ch. 256, sec. 1, effective April 4, 1996. -- Amended 1986 Ky. Acts ch. 226, sec. 2, effective July 15, 1986. -- Created 1950 Ky. Acts ch. 63, sec. 33, effective June 15, 1950.