

HOUSE No. 2738

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to enhance agricultural operations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>1/19/2017</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>	
<i>Chris Walsh</i>	<i>6th Middlesex</i>	
<i>Leonard Mirra</i>	<i>2nd Essex</i>	
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>	
<i>Brian Murray</i>	<i>10th Worcester</i>	
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	

HOUSE No. 2738

By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 2738) of Stephen Kulik and others for legislation to allow farmers to operate all-terrain vehicles for short distances on public ways. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to enhance agricultural operations.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 9 of chapter 90 of the General Laws, as appearing in the 2012 Official Edition, is
2 hereby amended by striking the third sentence and inserting in place thereof the following 3
3 sentences:-

4 A tractor, trailer, truck or all-terrain vehicle may be operated without such registration
5 upon any way for a distance not exceeding one-half mile, if said tractor, trailer, truck or all-
6 terrain vehicle is used exclusively for agricultural purposes consistent with MGL Chapter 128
7 Section 1a , or between one-half mile and 10 miles if said tractor, trailer, truck or all-terrain
8 vehicle is used exclusively for such agricultural purposes and the owner thereof maintains in full
9 force a policy of liability insurance which conforms to the provisions of section one hundred and
10 thirteen A of chapter one hundred and seventy-five or for a distance not exceeding three hundred
11 yards, if such tractor, trailer or truck is used for industrial purposes other than agricultural

12 purposes, for the purpose of going from property owned or occupied by the owner of such
13 tractor, trailer or truck to other property so owned or occupied.

14 For the purposes of this section, an all-terrain vehicle shall include those vehicles known
15 as a quad, quad bike, three-wheeler, four-wheeler, or quadricycle as defined by the American
16 National Standards Institute. Persons utilizing all-terrain vehicles under these provisions shall
17 annually notify the police department in the municipalities in which they are to operate of the
18 public way and sections of public way on which they operate in the course of agricultural
19 purposes. Failure to provide such notification may result in penalties pursuant to MGL Chapter
20 90, Section 20.

21 All-terrain vehicles operating under the provisions of this section shall be equipped with
22 a safety flag of not less than 36 square inches in area which shall be elevated to no less than 6
23 feet from the ground. All-Terrain vehicles must be equipped with a flashing red light mounted to
24 the rear of the vehicle. If designed to travel at 25 mph or less, the vehicle shall display a “slow
25 moving vehicle emblem” per MGL Chapter 90 Section 7.

26 Vehicles traveling on a public way subject to this section, shall be operated by a licensed
27 driver. No all-terrain vehicle may operate on a public way between sunset and sunrise.

28 No all-terrain vehicle may be operated on a public way for recreational or other purposes
29 except as authorized in this section and MGL Chapter 90B, Sec 25-crossing road at designated
30 points.