

Agriculture Community Engagement

The Winding Roads of Dairy - Intersecting Issues, Solutions

Ag Equipment on Our
Roads:
What Regulations
Apply?

Presented by:

Sergeant Mike Klingenberg
Wisconsin State Patrol

What is an Implement of Husbandry?

- 340.01(24)(a) – General Definition
 - *A vehicle or piece of equipment or machinery*
 - **designed** *for agricultural purposes*
 - **used exclusively** *in the conduct of agricultural operations*
 - *and used principally **off the highway***
 - *or a trailer-mounted bulk liquid fertilizer container.*

What is an Implement of Husbandry?

- Does not include any:
 - *motor truck, farm truck, road tractor, truck tractor, or farm truck tractor or such a vehicle combined with a semitrailer, trailer or farm trailer, when the vehicle or combination*
 - *is a commercial motor vehicle operated on a highway.*
 - *A CMV is:*
 - *Over 26,000 lbs.*
 - *16 or more passengers*
 - *Carries a placardable amount of Hazardous Materials*

What is an Implement of Husbandry?

- 341.01(2)(a) – Registration Definition
 - *A vehicle or piece of equipment or machinery*
 - **designed** *for agricultural purposes*
 - **used exclusively** *in the conduct of agricultural operations*
 - *and used principally **off the highway***
 - *or a trailer-mounted bulk liquid fertilizer container.*
- END OF DEFINITION- NOTHING ABOUT BEING A CMV

Further Clarification-

- **designed** for agricultural purposes
 - *Must have some modification so it is unique to agriculture operations.*
 - *Examples – walking floor, V-box, spreader*
 - *The modification should make it hard to be used for any other purpose*
- **used exclusively** in the conduct of agricultural operations
 - *If the vehicle is used for any purpose other than agriculture it is not an implement of husbandry*

Further Clarification-

- and used principally ***off the highway***
 - *Having off-roads tires help show the vehicle is used principally off the highway*
 - tires that are designed for off-highway use
 - have an international speed symbol of A, B, C, D, E or F
 - or a speed rating not exceeding 50 miles per hour
 - Also being equipped with special low-ratio gearing incapable of propelling the commercial motor vehicle at a speed exceeding 50 miles per hour
- *The main point is that the vehicle does "work" in the field. It does not just drive on highways to a field entrance and load/unload.*
- ***If it only loads/unloads then it must be registered.***

Further Clarification-

- The State Patrol and DMV seek clarification on the registration exemption applicable to “implements of husbandry” to avoid frustrating farmers, truck owners, the public, courts, and themselves with possible inconsistent interpretations and actions.
- The procedures used to properly identify “implements of husbandry” is consistent with the **Okroy Produce** decision, 132 Wis.2d 145 (1986)
- Hopefully statutory changes can be made to establish the procedures into law

Equipment Laws- Chapter 347

- 347.02 Applicability of chapter.
 - (1) *No provision of this chapter requiring vehicles to be equipped in a particular manner is applicable to any of the following vehicles unless the vehicle is expressly included within or made subject to the particular provision:*
 - (a) *Farm tractors and self-propelled farm implements.*
 - (b) *Implements of husbandry.*
 - (c) *Vehicles drawn by animals.*

Lights on Ag trains- 347.21(1)

- No person shall operate on a highway **during hours of darkness** any train of vehicles
- unless there is mounted **on each side of every vehicle** in such train
 - *including farm tractors and implements of husbandry*
 - *at least one lamp emitting a red light visible from a distance of 500 feet to the side of the vehicle on which mounted*
 - *or at least one red reflector*
 - *or one slow moving vehicle emblem visible from all distances within 500 feet to 50 feet of the side of the vehicle when directly in front of lawful upper beams of headlamps.*

Flags on Ag Trains - Daylight

- 347.21(2)
- No person shall operate on a highway
- At times other than hours of darkness
- Any train of agricultural vehicles authorized by s. 348.08 (1) (b)
- Unless there is displayed a **red flag** at least **12 inches square** on **each rear corner** of the **rearmost vehicle** in the train.

Lamps on farm tractors and self-propelled farm implements

- 347.22(1)

- No person shall operate a farm tractor or self-propelled farm implement during hours of darkness unless it carries the following lamps:

- a farm tractor or self-propelled farm implement shall carry during hours of darkness:

- unless the tractor or implement carries the following lamps:

And at least 1 red taillight to the rear

- On farm tractors and self-propelled farm implements, if made with 2 taillights then both must work

Lamps and reflectors

- 347.24(1)(a)
- Implements of husbandry operating on the highway during hours of darkness
 - *2 white lamps or lanterns visible 500 feet to the front*
 - *2 red lamps or lanterns visible 500 feet to the rear or*
 - *2 red reflectors mounted between 16 to 60 inches above the ground and visible between 500 to 50 feet in highbeams*

Wide machinery at night

- 347.24(1)(am)
- any implement of husbandry that extends 4 feet or more to the left of the center line of its towing vehicle
- Must be equipped with an **AMBER** reflector mounted on the left side, facing forward
- so as to mark the extreme width of the implement to drivers of oncoming vehicles.

Slow Moving Vehicle Emblem

- 347.245(1)
- for January
- on g
- A
- d

**SMV not needed if flashing
yellow or amber light
4 inches in diameter
is displayed on the left rear**

light

than

the visible
tion of

emblem

not needed on

Trans 305- Equipment Laws

- Trans 305.02 Applicability.
- This chapter does not apply to the following vehicles:
 - *Farm tractors and self-propelled farm implements.*
 - *Implements of husbandry as defined in s. 340.01 (24), Stats.*
 - *Vehicles drawn by animals.*



Chapter 348- Size, Weight and Load

- No general exemptions for farmers and implements of husbandry.
- Some sections may allow larger sizes
- But there is no extra weight allowed for farmers
- Roads are destroyed by weight

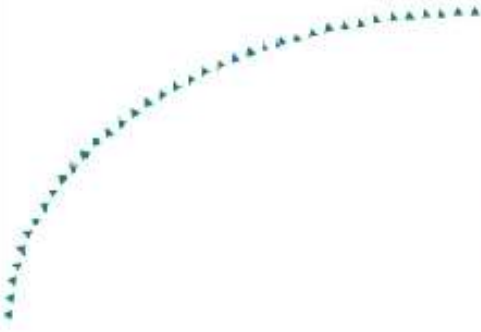
Weight damage

2005-05
Synthesis Report

Impacts of Overweight
Implements of Husbandry on
Minnesota Roads and Bridges



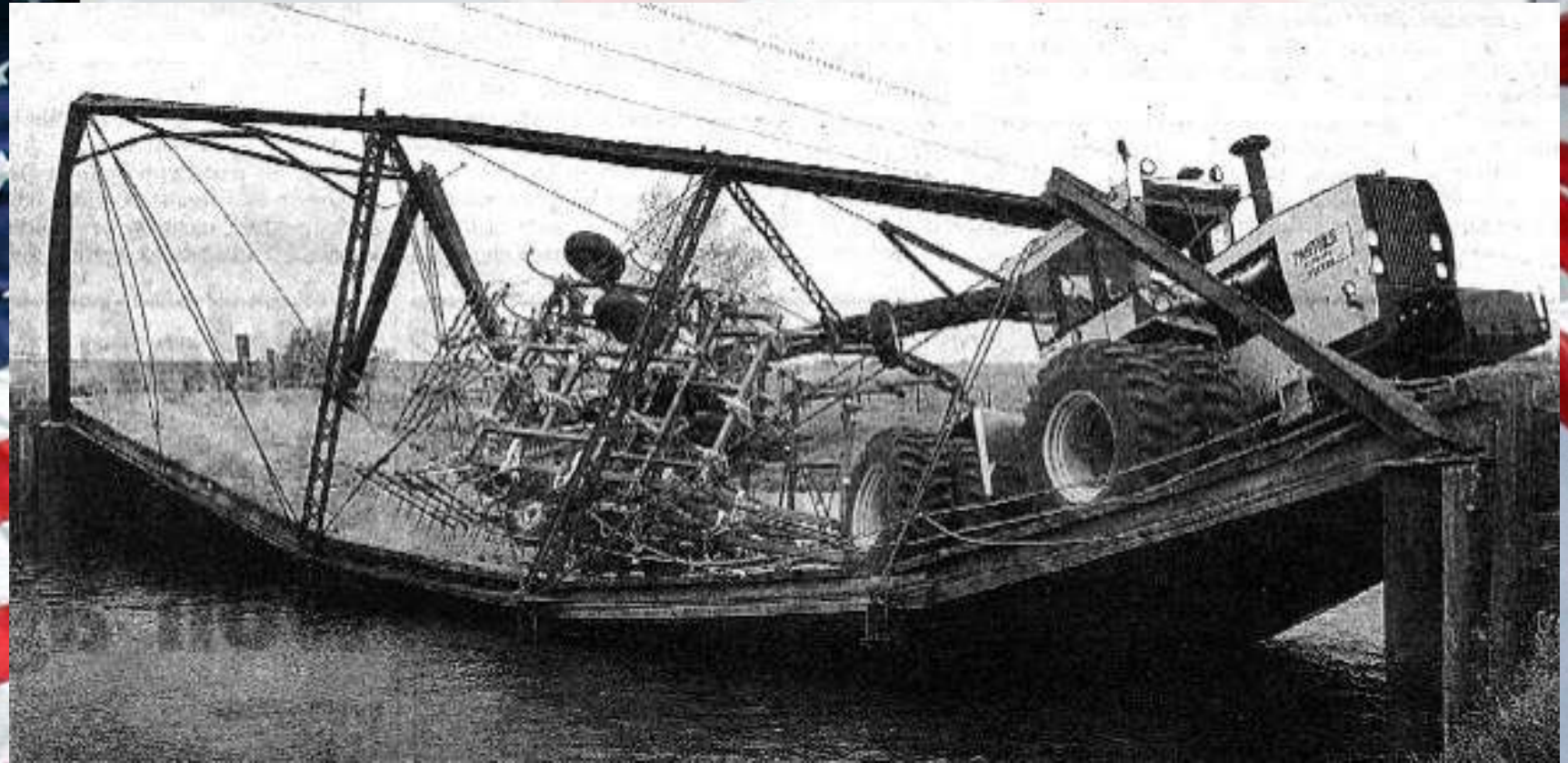
Synthesis



Weight damage



Weight damage



Width – 348.05

- Maximum legal width is 8 foot 6 inches
- 348.05(2)(a)
 - *No limitation for implements of husbandry temporarily operated upon a highway **in the course of performance of its work.***
- 348.05(2)(c)
 - *12 feet for farm tractors, except that the total outside width of a farm tractor shall not exceed 9 feet when operated on the Interstate.*

Width - continued

- 348.05(2)(L)
 - *12 feet for loads of hay if the total outside width of the loads do not exceed the width of a single traffic lane of any highway over which the loads are carried.*
 - *Not allowed on the Interstate.*

Width - continued

- 348.05(3)
 - *Farm tractors exceeding 12 feet in width and all other farm machinery and implements of husbandry exceeding 8 feet 6 inches in width*
 - *Not being operated in the course of performance of its work*
 - *May be moved, towed or hauled over the highways without a special permit*
 - *Between one-half hour before sunrise and sunset*
 - *Mondays to Thursdays*
 - *From one-half hour before sunrise to 2 p.m.*
 - *Fridays*
 - **Not allowed on Saturday and Sunday**
 - **Not allowed on the Interstate**

Height – 348.06

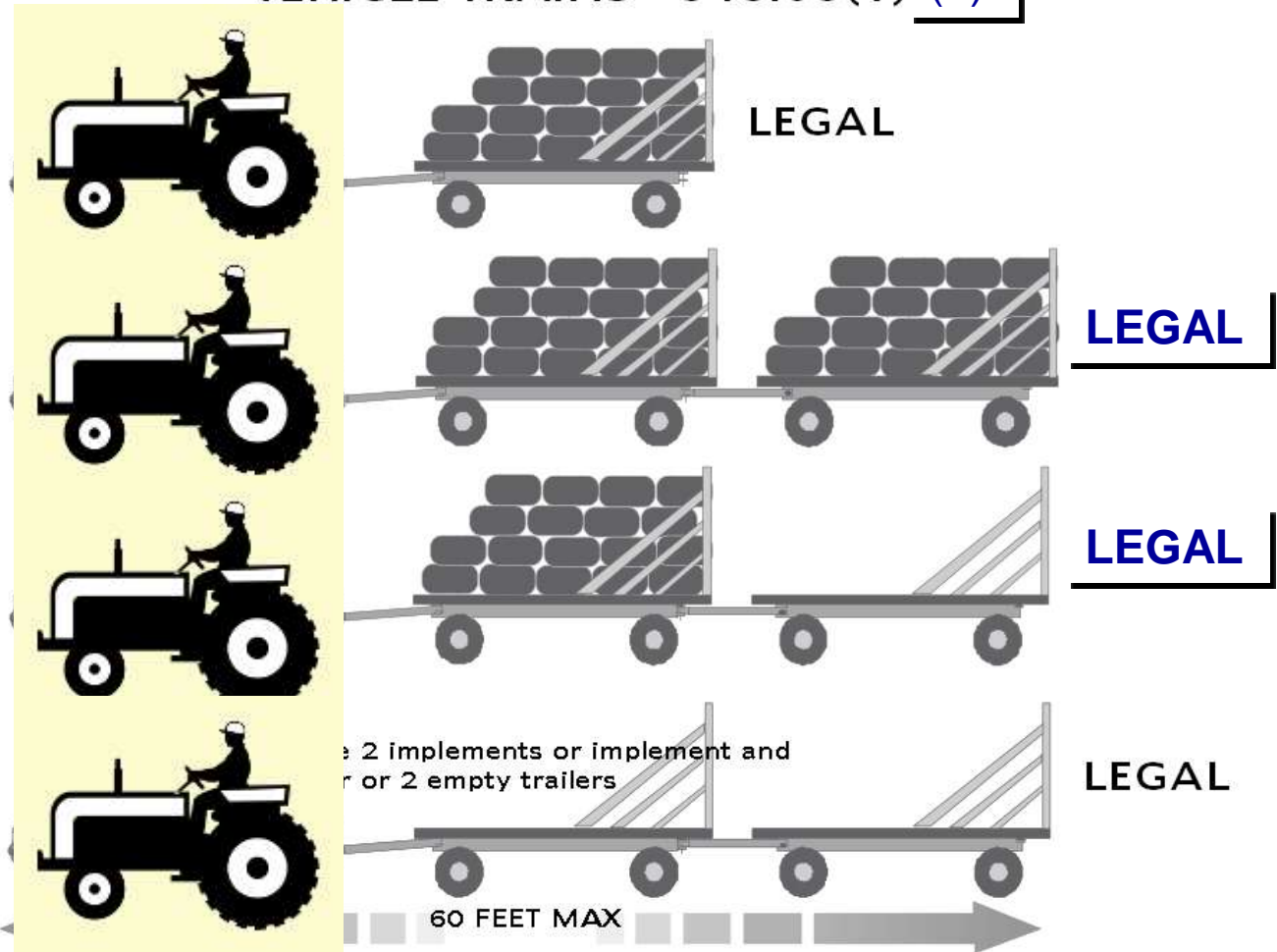
- Maximum height is 13 feet 6 inches
- 348.06(2)
 - *Implements of husbandry **of any height** may be temporarily operated upon a highway*
- 348.06(3)
 - *The limitations on total height stated in this section shall not be construed as requiring a clearance of such height or as relieving the owners of vehicles not exceeding such total height from liability for any damage.*

Length – 348.07

- 348.07(1)
 - *Single vehicle = 45 feet*
 - *Combination of 2 vehicles = 65 feet*
- 348.07(2)(e)
 - *No length limitation for implements of husbandry temporarily operated upon a highway.*
- Except vehicle trains discussed earlier

Vehicle trains- Truck and Tractor usage

VEHICLE TRAINS - 348.08(1) (b)



Projecting loads - Side

- 348.09(1)
 - *No person may operate any motor vehicle, trailer or semitrailer*
 - *carrying any load extending beyond the fender line on the left side*
 - *6 inches beyond the fender line on the right*
- 348.09(2)
 - *This section applies even though the total width of the vehicle and load does not exceed 8 foot 6 inches.*

348.10 - Special limitations on load.

- 348.10(1)
 - *No more than 3 feet to the front*
- 348.10(2)
 - *No person shall operate a vehicle on a highway unless such vehicle is so constructed and loaded **as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.***

348.10 - Special limitations on load.

- 348.10(5)
 - *The load imposed upon trailers or semitrailers shall be distributed in a manner that will **prevent side sway** under all conditions of operation*
- 348.10(5)(a)
 - *All items of load carried by any trailer, semitrailer or mobile home*
 - *Except bulk material such as sand, gravel, dirt not in containers*
 - *Shall be secured to, on or in the trailer*
 - *To prevent shifting of the load*

Gravity is not a securement method!

348.10 - Special limitations on load.

- 348.10(5)(c)
 - *The load carried by any trailer, semitrailer or mobile home*
 - *Shall be so positioned that a weight of not less than 35 pounds*
 - *Is imposed at the center of the point of attachment to the towing vehicle when parked on a level surface.*



Weight – 348.15

- No exemptions to weight laws for implements of husbandry
- General Weight laws
 - *Single axle = 20,000 lbs. [21,000 lbs.]*
 - *4 foot tandem = 34,000 lbs. [37,000 lbs.]*
 - *9 foot tandem = 39,000 lbs. [42,000 lbs.]*
 - *10 foot tandem = 40,000 lbs (MAX) [42K]*
 - *10 foot tri-axle = 43,500 lbs. [45,500 lbs.]*
 - *16 foot tri-axle = 48,000 lbs. [50,000 lbs.]*
 - *32 foot tri-axle = 60,000 lbs. (MAX) [62K]*

Weight – 348.15

- General weight laws
 - 12 foot quad-axle = 55,500 lbs [57,500 lbs]
 - Maximum weight for straight truck
 - 80,000 lbs
 - Must have 7 axles 34 feet between first and last axle [7 axles at 31 feet]
 - Maximum weight for truck and trailer
 - 80,000 lbs
 - Must have 5 axles 51 feet between first and last axle [5 axles 48 feet]

Overweight permits are issued for non-divisible loads only

Class B Highways – 348.16

- Authority in charge of maintenance can declare a road Class B
 - *60% of normal weights allowed*
 - *Signs must be posted*
- Any motor vehicle whose operation is pickup or delivery, including operation for the purpose of moving or delivering supplies or commodities
- to or from any place of business or residence that has an entrance on a class "B" highway
- may pick up or deliver on a class "B" highway at normal weights.

General Permits- 348.27(3)

- For good cause in specified instances ...
- for a specified period,
- the officer or agency in charge of maintenance of a highway
- may allow loads exceeding the size or weight limitations imposed by this chapter to be hauled on such highway.
- No such officer or agency shall issue such permits for use of a highway the cost of maintenance of which is paid by a unit of government other than the unit of government which such officer or agency represents.

Energy Emergency- 348.17(3)

- During an energy emergency...
- the department may waive the divisible load limitation of s. 348.25 (4)
- and authorize for a period not to exceed 30 days
- the operation of overweight vehicles having a registered gross weight of 50,000 pounds or more
- carrying energy resources or fuel or milk commodities designated by the governor
- regardless of the highways involved, to conserve energy.
- may only allow weights not more than 10% greater than the gross axle and axle combination weight
- not more than 15% greater than the gross vehicle weight limitations under ss. 348.15 and 348.16.
- Not allowed on the Interstate

Rules of the Road – Chapter 346

- You must follow all the rules of the road:
- Driving, meeting, overtaking and passing.
- Right-of-way
- Turning and stopping requirements
- Traffic signs, signals and markings.
- Required stops
- Speed restrictions
- Reckless and drunken driving
- Accidents and accident reports.
- Miscellaneous rules.



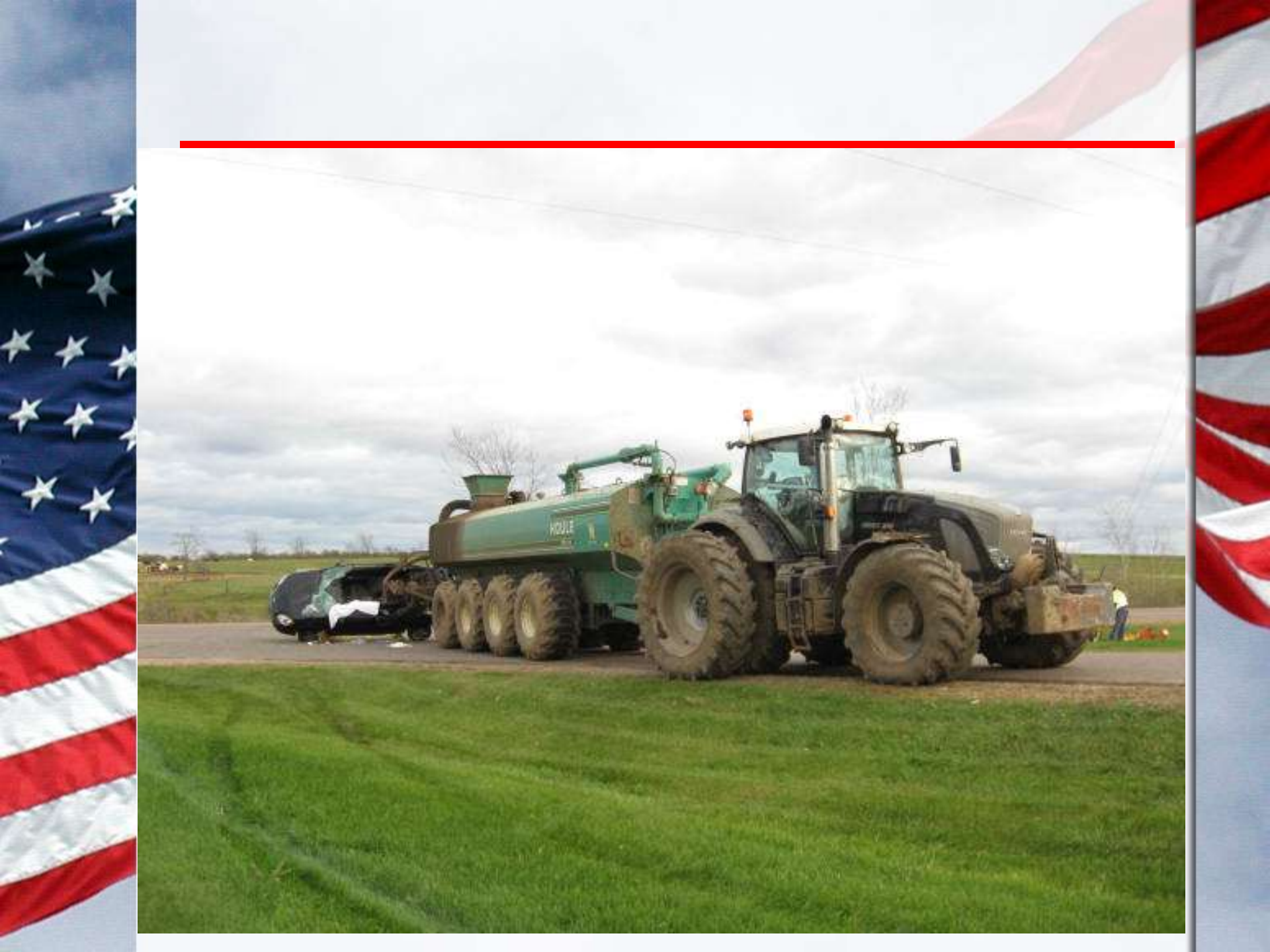












Right of Way

- The operator of a vehicle entering a highway from a non-highway access
- shall yield the right-of-way to all vehicles approaching on the highway the operator is entering.

Driveways, farm or field access, etc.

Prohibited Acts – 346.94

- (5) Placing injurious substance on highway.
 - ***No person shall place or cause to be placed upon a highway any foreign substance which is or may be injurious to any vehicle or part thereof.***
- (7) Spilling loads of waste or foreign matter.
 - ***The operator of every vehicle transporting waste or foreign matter on the highways of this state shall provide adequate facilities to prevent such waste from spilling on or along the highways.***



**Agricultural
Community
Engagement**

QUESTIONS??

**PD
PW**

