



UNION COUNTY SHERIFF'S OFFICE

BEHIND THE STAR

SHERIFF MALCUM J. "JAMIE" PATTON



Living in an Agricultural Community

As the fall harvest season quickly approaches, I thought this would be a good time to rerun an article explaining the agricultural laws to the motoring public. My office has received many positive comments about the contents of this article and I hope, after you get done reading this, you, too, will recognize the importance of patiently sharing our roads with the agricultural community.

We are all familiar with the four seasons: winter, spring, summer, and fall. But in an agricultural community like Union County, there are two more seasons that affect all of us that use the roadways. They are planting season and harvest season. During these two farming seasons, we must all be patient with area farmers transporting farm equipment to and from the fields. The Sheriff's Office often receives complaints and questions each year during these two farming seasons. Many of these complaints or questions involve laws governing farm equipment, the width of farm implements taken on the roadway, and how they use public roadways. Over the past several decades, the size of farm equipment being manufactured has grown by leaps and bounds, while the width of roadways generally has not. Motorists are often frustrated when they come up behind a large piece of farm equipment that is moving very slowly. A long line of traffic usually develops behind the farm equipment, with everyone trying to get around and continue on their way. At certain times of the day, getting around slow moving farm equipment can be very challenging. I know, because I have been in that string of numerous times while on my way to work or a scheduled meeting. But, then I think about the important role that farmers play in our society and in our economy. I consider how important it is to share the road with them. They have a job to do, just like the rest of us. Perhaps the best way to educate the public is to share some of the frequently asked questions I often hear. I hope this article helps you understand some of the laws that govern farm equipment and the need for us to safely share the roadways during the two "other" seasons of the year.

Q. What is considered farm machinery?

According to Ohio Revised Code (ORC) section 4501.01, farm machinery is defined as all machines and tools that are used in the production, harvesting, and care of farm products, and includes trailers that are used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm, agricultural tractors, threshing machinery, hay-baling machinery, corn shellers, hammer mills, and machinery used in the production of horticultural, agricultural, and vegetable products.

Q. Are there width requirements or restrictions for farm machinery to travel up and down the road?

Yes, according to Ohio Revised Code (ORC) section 5577.05, vehicles operated on roadways are limited to certain lengths, widths, and heights. ORC section 5577.05 (G) states that farm machinery and equipment are exempt from the size standards, as long as the equipment is being pulled or operated on the road. If the same piece of machinery is loaded or transported on a truck or trailer, then they are not exempt from the size regulations.

Q. Doesn't the farm equipment have to stay on its own side of the roadway?

No, an Appeals Court ruling says that farm equipment traveling on the roadways is not required to yield to coming traffic. The ruling stated that it is not the farmer's fault that the roadway is not of adequate width to handle the machinery, thus, they are not criminally liable. The farmer should yield to oncoming traffic, but if they don't, they have not violated any laws.

Q. Am I able to legally pass a piece of farm machinery on a solid yellow line?

Yes, ORC section 4511.31(B) states that if the slow moving vehicle is proceeding at less than half the posted speed limit, you may overtake the vehicle provided you do not exceed the speed limit in doing so. You are also required to have a clear sight distance to the left of the center or center line of the roadway to overtake the vehicle safely and you must not interfere with oncoming traffic. All other laws that pertain to over taking and passing a vehicle traveling in the same direction still apply.

Q. Aren't farmers required to tear down or reduce the size of their equipment before moving down the roadway?

No, they are not. However, many do for the simple reason that they do not want to hit mailboxes, road signs, utility wires or other things along the route they are traveling.

Q. Why don't farmers pull over and let traffic around them?

Farmers are not required to do this. However, most farmers realize they share the roadways and that people have places to go and things to do. Many will pull over when they can safely do so, to allow traffic around them. Sometimes, however it is best for them to just get to their location as quickly as possible, so they are out of everyone's way. Pulling over and letting traffic go around them can create other issues and sometimes can be more hazardous than not doing so.

Q. What is the speed limit for vehicles with a Slow Moving Vehicle (SMV) sign?

ORC 4513.11(B) states that the speed limit is 25 miles per hour for vehicles with an SMV sign. However, according to ORC 4513.11(G), if the vehicle is capable of traveling at higher speeds, then that speed must be posted on the vehicle.

Q. How many anhydrous ammonia tanks, gravity wagons, or hay wagons can be pulled down the road at one time?

ORC section 4513.32 states that an agricultural tractor may pull more than one trailer on the roadway, as long as the trailers are securely fastened and do not sway from side to side. Vehicles such as pickup trucks may only pull a maximum of two trailers at one time.