

# Transporting Farm Equipment

**What Growers Need to Know**



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## What Growers Need to Know

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# Transporting Farm Equipment

**Whether** it's a tractor-trailer hauling grain, a livestock trailer hauling cattle, or a combine in transit from one location to another, farm equipment and supplies travel our roads and highways; state and federal laws apply.

**Putting** farm equipment on the road is all about safety, about sharing the road with a public not all that accustomed to dealing with slow-moving, oversized vehicles in their path. Although there are regulations in place to protect the growers, drivers often become impatient and pass on hills and curves, adding to the risk.

**Regulations** put into place to protect growers on the highway also can be used in legal proceedings. A case in point: Evening was approaching, and a driver and passenger were speeding down a rural road. They didn't realize that a tractor pulling a hay wagon was ahead of them. The driver didn't see it until it was too late; he was seriously hurt in the accident, and his passenger was killed.





**S**tate troopers reconstructed the accident to determine the cause, looking for signs of drugs, alcohol, speeding, etc. Weather, poor visibility, and poor road conditions also were factored into the investigation. When it was all said and done, the reports blamed both parties. The driver was cited for driving too fast, the farmer for not having a visible slow-moving-vehicle sign or flashing lights on the wagon (both were present on the tractor but totally obscured by the load of hay). The grower had assumed that things would be fine since he wasn't going very far — just from the hay field to his home up the road. But the legal battle would last for years as attorneys argued their respective clients' innocence.

**T**ransportation regulations governing implements and trailers pulled behind farm trucks and tractors are complex and confusing. Growers get frustrated when they receive multiple answers to an apparently simple question. Yet the answer may depend on how the question is phrased or how the regulations are interpreted. Individuals who are familiar with the regulations usually ask some

Driving farm equipment on the open road can be dangerous as drivers become impatient and pass around curves while the grower is trying to find a safe place to pull onto the shoulder.

Serious accidents often involve law enforcement, fire departments, and ambulances. Once the injured have been helped, the investigation by law enforcement begins. Legal actions often follow as the injured, their families, and their insurance companies place blame and seek compensation.



questions, themselves, before addressing the inquiry. And the person who knows how to clarify the question is most likely to provide the correct response. He might begin by saying, “It all depends.”

**F**or instance, if a grower were to ask if he needs brakes on his farm trailer, the quick answer would be, It all depends. Generally speaking, state law requires equipment on the highway to have brakes; but the Indiana General Assembly declares exceptions to this general statement. Brakes are required when a trailer, either loaded or unloaded, weighs more than 3,000 pounds. Yet, if the trailer is an implement of agriculture, the answer might be no. And what about lights, license plates, and flashing lights? Additional questions could lead to the discussion of other regulations that impact trailers.

**T**his publication addresses state and federal regulations on the transportation of farm equipment on our roads and highways. The information provided will help growers do their part in keeping themselves — and others — safe.

[www.state.in.us/legislative/ic/code/](http://www.state.in.us/legislative/ic/code/)



*All Indiana citations listed in this publication can be viewed online at [www.state.in.us/legislative/ic/code/](http://www.state.in.us/legislative/ic/code/). Questions dealing with other states need to be addressed to government officials in those states.*

*Laws, regulations, policies, and interpretations change. Any corrections or clarifications to this publication will be listed at [http://www.btny.purdue.edu/ppp/PPP\\_pubs.html](http://www.btny.purdue.edu/ppp/PPP_pubs.html). Consult the updates before using this information.*

# Farm Tractors

**Definition:** “Farm tractor” means a motor vehicle designed and used primarily as a farm implement for drawing implements of agriculture used on a farm; it uses the highways only to travel from one field or farm to another or to or from places of repair (Indiana Code [IC] 9-13-2-56, IC 9-13-2-77 and IC 9-13-2-105). The term includes a wagon, trailer, or other vehicle pulled by a farm tractor (IC 9-13-2-56); that is, the towing vehicle and the towed trailer, as a unit, are treated as a farm tractor under this definition. This general description can change, depending on the specific part of the code under interpretation.



**Warning!** A farm tractor operating outside this definition would be subject to all regulations that apply to a farm truck. Technically, under Indiana law, a farm tractor used to transport products to the elevator might need to be plated since the use falls outside the definition of travel from one field or farm to another, or for repairs. However, this strict interpretation seems not to be enforced for tractors towing implements of agriculture carrying grain and other agricultural commodities to markets located near the grower’s fields.

**Certificate of Title.** Farm tractors do not require certificates of title (IC 9-13-2-105 and IC 9-18-1-1).

**Motor Vehicle Registrations and License Plates** are not required for tractors (IC 9-18-1-1). Any equipment towed behind a tractor and used only in the pursuit of agriculture does not need to be plated (see the implements of agriculture section, page 19).

**Wheel Tax** is not an issue since the county tax is based on a license plate.

**Brakes** are not required on farm tractors (IC 9-19-1-1).

**Flashing Lights.** Tractors operating on a highway between dusk and dawn (IC 9-21-9-4) must have rear, flashing lights. Equipment pulled by a tractor produced prior to July 1, 2006, needs its own flashing lights if its width or height (or the width or height of its load) blocks those mounted on the tractor.

**Lights and Reflectors** are required on tractors operating on a highway between dusk and dawn or when visibility is less than 500 feet (IC 9-21-7-2 and 9-19-6-11.3). The tractor's manufacture date (before or after July 1, 2006) determines the number of lights and reflectors needed. When the lights on the rear of the tractor are blocked by towed equipment (or by the load), the towed implement must have lights and reflectors. If the implement is wider than the tractor, the outside extremities of the implement must be delineated (e.g., with reflective tape). However, IC 9-19-6-11[g] seems to conflict with IC 9-21-7-11, stating that "all rear lighting requirements may be satisfied by having a vehicle with flashing lights immediately trail farm equipment..." The authors' recommendation is that, while a trailing vehicle with its hazard lights flashing would provide initial warning to motorists, flashing lights should be mounted on the tractor and/or the implement in tow.

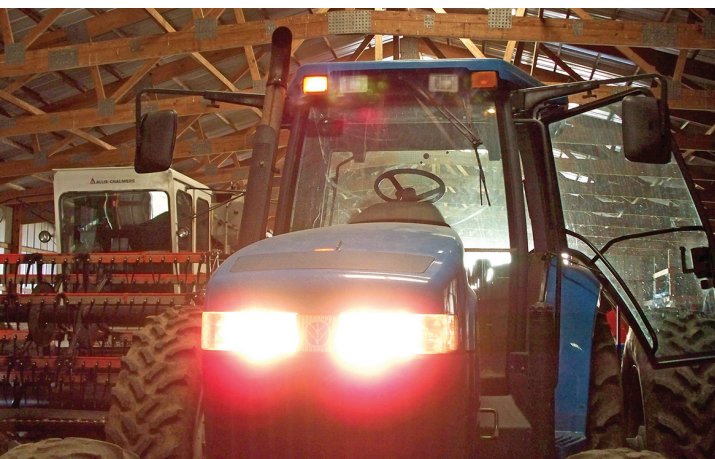


Above: A tractor with its slow moving vehicle sign clearly visible, followed by a truck with flashing lights to provide extra warning to drivers approaching from behind.

Left: Newer tractors are equipped with lights and reflectors that make them easier to see on the road.

**Turn Signals** are required on farm tractors manufactured on or after July 1, 2006 (IC 9-19-6-11.3). They are not required on farm tractors manufactured prior to July 1, 2006, even if the tractors are used on public highways after dusk. It is assumed that flashing lights would give notice to drivers approaching from the rear.

Newer tractors (upper right, lower left and right) have headlights, rear lights, and turn signals. Considering the risks growers face with slow moving vehicles on the road, retrofitting older tractors (upper left) with lights and turn signals might prove to be a good investment.



**Length, Width, and Height.** Tractors and towed equipment are exempt from legal dimensions set for other vehicles (IC 9-20-9-8 and 9-19-1-3 and IC 9-20-2-2). For instance, it is legal to tow a 14-foot disk behind a tractor on a highway, even though the width of the disk takes up a part of the left-hand lane. It is recommended that vehicles with flashers precede and follow these extra wide pieces of equipment. Red flags are not required to mark loads that extend into the oncoming lane, but their use is a good safety option.

**Keep** in mind that it is illegal for farm drainage machinery, implements of agriculture, and farm vehicles loaded with farm products to cause damage to the highway or to unreasonably interfere with highway traffic (IC 9-21-8-4).

*Right: Great care must be taken when moving farm equipment on highways or through congested areas.*



**Reflective Tape** is not required on farm tractors manufactured prior to July 1, 2006. Tractors manufactured after that date must have reflective tape (IC 9-19-6-11.3). However, your addition of reflective tape to your older tractors is a wise investment in your safety when traveling at night.

**Posted Bridge Weights** apply to tractors and towed equipment (IC 9-20-4-2, 9-20-7-1 and 9-20-7-47).



*Load restrictions on bridges apply to all tractors and pulled implements of agriculture.*

**Towing Restrictions.** Farm tractors may tow no more than two wagons, trailers, or farm implements on a highway (IC 9-20-10-1).

*This grower could be cited for towing three implements of agriculture behind a tractor.*



**Slow Moving Vehicle Signs** are required by law when a slow moving vehicle is pulled, towed, self-propelled, or animal drawn and is not under ordinary circumstances moved, operated, or driven at a speed greater than 25 miles per hour (IC 9-21-9-1 and 9-21-9-2). The sign should be mounted three to five feet from the pavement and as near the center as possible. Red flags cannot be substituted for a slow moving vehicle sign (IC 9-21-9-6).

*Slow moving vehicle signs warn approaching drivers to adjust their speed.*



**A** single slow moving vehicle (SMV) sign on a tractor meets the legal requirement if the equipment in tow does not obscure it. However, it is a good idea to place one on the tractor and one on each piece of equipment being towed.

**T**he slow moving vehicle sign does not need to be covered when the farm tractor is occasionally driven faster than 25 miles per hour on a non-interstate road or pulled on a trailer.



**H**owever, it might be best to remove the sign, cover it, or back the equipment onto the trailer so that the SMV sign cannot be seen. This will reduce varied interpretations by Indiana and out-of-state enforcement personnel.



**Traffic Flow.** Tractors driven on a highway must not cause unreasonable interference with other highway traffic (IC 9-21-8-47). The driver is required to move over at the first reasonable point to allow traffic to pass.

The “Three Car Rule” states that a person may not drive a motor vehicle at a slow speed that impedes or blocks the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law.

The driver of a tractor being driven at a slow speed so that three or more vehicles are blocked and cannot pass on the left around the vehicle shall give right-of-way to the other vehicles by pulling off to the right of the right lane at the earliest reasonable opportunity and allowing the blocked vehicles to pass (IC 9-21-5-7). A citation can be issued for not pulling over (IC 9-21-5-13).



As this tractor approaches the camera (above) traffic is caught behind it. But with the curve and no shoulders on the road, the driver has to proceed to a driveway (left) before he can pull over to allow traffic to pass.

**Interstate Travel.** Farm tractors and implements of agriculture may not travel on interstate highways or access ramps (IC 9-21-8-46). The only exception is when a grower has contracted with the state of Indiana to cut or bale grass along the sides of or in the median of the interstate.

**Question:** May a grower pull anhydrous tanks behind a tractor that has a tool bar?

**Answer:** The answer is yes since the tool bar is carried, not towed.



**Question:** Do frost laws apply to tractors and towed equipment?

**Answer:** Frost laws help prevent damage to soft roads by heavy vehicles and equipment. Contact your county highway engineer to see if the frost law applies to any roads in your county and whether farm tractors and towed implements are included under the county's definitions.



**Question:** How old must a person be to drive a tractor, straight truck, and articulated vehicles such as a pickup truck plus gooseneck trailer or a tractor-trailer combination?

**Answer:** Tractor, no minimum age. Straight truck of any size, a licensed driver. Articulated combinations with empty or loaded weight or gross vehicle weight rating of the combination over 10,000 pounds, 18 years old in state and 21 years old if crossing the state line. Exception: If towing an implement of agriculture behind a truck, the legal age for driving the truck (16 years old) would apply.

**Question:** Some of the newer tractors can reach speeds of 45 miles per hour. Do I need to get the tractor registered and remove the slow moving vehicle sign?

**Answer.** Registration and plates are not required for tractors. While a tractor could reach speeds higher than 25 mph, it would not do so under normal circumstances. Slow moving vehicle signs are always required for tractors driven on any road.

## Implements of Agriculture

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**Definition:** Implements of agriculture formerly were known as implements of husbandry. Most implements of agriculture rest some of their weight on the towing vehicle and are moved on highways at speeds up to 25 miles per hour. They may be self-propelled or towed. The law further states that the implement of agriculture is used in the transportation, delivery, or application of crop inputs, including seed, fertilizer, and crop protection products (IC 9-13-2-77). The legal definition has been expanded by policy, over the years, to include combines, tillage implements, planters, harvesters, and grain carts. Each implement of agriculture has a specific use and is operated primarily in a farm field; for comparison, reference the “full trailer” as pictured in the section of this document titled Trailers and Semitrailers (page 32).

Implements of Agriculture



**Warning:** A farm-type dry or liquid fertilizer tank trailer or spreader towed on a highway at 30 mph or greater by a vehicle other than a farm tractor is considered a general use trailer (IC 9-19-1-1). The trailer on the left, below, or the wagon to the right, could be regulated as a trailer or an implement of agriculture, depending on the highway speed at which it is generally pulled. However, see page 33 where it states that no plates are needed; the actual distinction is whether or not brakes are required.



**T**he sprayer below would be regulated as an implement of agriculture because it is used mainly in the field and generally moves at speeds less than 25 mph.



**Certificate of Title.** Implements of agriculture are not required to have certificates of title (IC 9-17-1-1 and IC 9-18-2-29).

**Motor Vehicle Registration and License Plates** are not required (IC 9-18-1-1). In years past, implements of agriculture carried special machinery plates (right); but, for most purposes, special machinery plate requirements have been eliminated for most agricultural uses (IC 9-18-1-1). Note: It is illegal to carry such plates on equipment not required to have them, so remove them if that is your situation.

**Wheel Tax** is not an issue since implements of agriculture do not require plates.

**Brakes** are not required on implements of agriculture.

**Safety Chains.** Indiana state law does not require safety chains for implements of agriculture such as anhydrous ammonia trailers; however, they are highly recommended as a safety measure for all pull-behind implements (see page 53 regarding accidents in the absence of chains). However, the use of safety chains is required when towing implements across state lines. The weight rating of chains must be equal to or stronger than the weight of the implement [49 CFR 393.70(d)]. Indiana requires hitch pins to be of sufficient strength (355 IAC 3-6-8).

**Flashing Lights** mounted on the tractor or farm truck are sufficient when towing an implement of agriculture as long as they are clearly visible from the rear. If the equipment being towed — or its load — obscures the flashing lights on the towing vehicle, the equipment also must have flashing lights.



Remove special machinery plates from implements of agriculture.



**T**he water tank (directly above) completely obscures the lights and other warning devices on the tractor. Magnetic flashing lights are attached to the rear of the trailer. The extreme left-hand and right-hand edges of the implement need to be delineated if the implement is wider than the towing truck or tractor and if it is towed at night (IC 9-19-6-11). The slow moving vehicle sign in this photo is faded and partially obstructed; notice that it is more visible in the right-hand photo.



A well-designed implement of agriculture with slow moving vehicle sign, lights, turn signals, reflectors, and reflective tape.

**Lights and Reflectors.** Equipment built after July 1, 2006, is required to have lights and reflectors. Older equipment is not, as long as the tractor or truck towing the equipment has lights and reflectors clearly visible at night. If the lights and reflectors from the truck and tractor are obstructed or cannot be seen from 500 feet, then the implement of agriculture is required to have them for night transportation (IC 9-21-9-4). It is (evidently) left to the driver's discretion as to how many lights and reflectors are needed.

**Turn Signals** are not required on implements of agriculture built prior to July 1, 2006 (IC 9-19-6-11.3).

**Reflective Tape** is not required on implements of agriculture, but its use is recommended.

**Length, Width, and Height.** There are no length, width, or height restrictions for implements of agriculture pulled by a truck or tractor (IC 9-20-2-2).

**Weights** for implements of agriculture are not regulated, but bridge and highway postings must be followed (IC 9-20-2).





**Posted Bridge Weights** must be followed (IC 9-20-4-2, 9-20-7-1, and 9-20-7-4).

**Slow Moving Vehicle Signs** are required for all implements of agriculture moved on the highway (IC 9-21-9). The signs should be placed as near the center as possible at approximately three to five feet from the pavement.



If the tractor towing the implement of agriculture has an SMV sign, the implement does not need one as long as the sign on the tractor is not obscured and is easily visible from the rear. Red flags cannot be substituted for a slow moving vehicle sign (IC 9-21-9-6). Implements of agriculture normally are towed at less than 25 mph; however, covering the slow moving vehicle sign when traveling faster than 25 mph generally is not required.



An SMV sign mounted to the side since it is impractical to place it in any other location.



Placing SMV signs on all equipment makes good sense.

**Highway Speed Restrictions.** Implements of agriculture generally must travel no faster than 25 mph, by law. Most implement tires are designed for this low speed, and manufacturers do not guarantee their tires' performance at higher speeds.

**Traffic Flow.** Implements of agriculture being towed on a highway must not cause unreasonable interference with traffic (IC 9-21-8-47). The vehicle is required to stay in the right-hand lane and/or as close as practicable to the right-hand curb or edge of the roadway when proceeding slower than traffic (IC 9-21-8-2). The "Three Car Rule" states that a person may not drive a motor vehicle at a slow speed that impedes or blocks the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or for compliance with the law. A person who is driving at a slow speed so that three or more vehicles are blocked and cannot pass on the left shall give right-of-way to the other vehicles by pulling to the right of the right lane at the earliest reasonable opportunity, allowing the blocked vehicles to pass (IC 9-21-5-7).

**Interstate Travel.** Farm tractors and implements of agriculture are not allowed to travel on interstate highways or access ramps (IC 9-21-8-46). The only exception to this law is a grower who has contracted with the state of Indiana to cut or bale grass along the sides of the interstate or in the median.



Fluorescent sticks may be used to indicate corners of equipment.



**Question.** We have converted old school buses for transporting products from the field to the packing shed. Would this qualify them as implements of agriculture so that they would not need to be licensed nor require a licensed driver?

**Answer.** The buses would not be implements of agriculture. A converted school bus needs a license plate, and the operator must have a valid driver license. The color has to be changed to indicate that it is no longer a school bus hauling children; the title must be changed to indicate that it is no longer a school bus. Flasher lights and stop arms must be removed.



**Question.** May I run dyed fuel in my tractor and self-propelled sprayer on the highway?

**Answer.** Yes, as long as they are used in farm operations.

**Question.** Is the use of a slow moving vehicle sign to mark a driveway illegal?

**Answer.** This is not an illegal use as long as the sign is on private property.

**Question.** May I purchase a license plate for my implement of agriculture and then drive it on the interstate?

**Answer.** No. Implements of agriculture do not have titles; therefore you cannot purchase license plates for them. Implements of agriculture are not allowed on the interstate.

**Question.** Is it within the law to haul up to eight large round bales of hay (single layer, two wide, end-to-end) on a flatbed trailer, behind a pickup truck, if the bales extend over the edges of the trailer and past the width of the truck? May the bales be hauled from county roads onto U.S. highways to get to the destination? Does the trailer have to be licensed? Does it have to have working lights? May the trailer be towed after dark, using only the flashers on the front of the truck?

**Answer.** A load of farm product being carried by a farm vehicle is not limited by width or height (IC 9-20-2-2(d)). The combination described is allowed on U.S. highways, but not on interstates. As long as the trailer is moved as described, it would not require licensing or working lights. However, flashers on the front of the truck would not protect those approaching from the rear; temporary lights or a trailing vehicle with its lights on would be required after dusk.

**Question.** Are growers limited on how much anhydrous ammonia they can pull behind a truck or tractor?

**Answer.** Growers may pull only two wagons behind a truck or tractor. It is sometimes suggested that growers are limited to 3000 gallons, but that applies only to agricultural commercial driver licenses, which are not issued to growers. It appears under federal law [(4a CFR Part 173.315(m))] that growers may transport anhydrous ammonia in tanks that hold 3000 gallons or less.

# Farm Wagons

**Definition:** “Farm wagon” means a wagon, other than an implement of agriculture, used primarily for transporting farm products and farm supplies in connection with a farming operation. “Wagon” means a vehicle that is designed to be pulled by a motor vehicle (IC 9-13-2-60). Wagons are constructed so that no part of their weight rests upon the towing vehicle. They are equipped with a flexible tongue and are steered by the front wheels (IC 9-13-2-198).

**Warning:** A farm wagon being pulled by a truck or tractor to transport supplies to an agricultural field is regulated as an implement of agriculture (as long as the towing speed generally does not exceed 25 mph). It does not require a certificate of title (IC 9-17-1-1). It does not require registration or a license plate (IC 9-18-1-1), and it may not be operated on an interstate highway (IC 9-21-8-45).



# TRAILERS AND SEMITRAILERS

**Definition:** Unlike implements of agriculture, trailers and semitrailers are designed to carry a variety of loads faster than 25 mph. The distinction between “trailer” and “semitrailer” is based on the towing vehicle: either a pickup truck or a truck tractor/ semitrailer combination. It has nothing to do with how the trailer is configured (e.g., enclosed, flat bed, livestock). A truck tractor has no load-carrying capacity; its sole purpose is to pull a semitrailer. The same semitrailer, pulled by a pickup truck equipped with a bed for carrying cargo beyond what the hitch of the trailer can accommodate, is a trailer.



**Certificate of Title** is not required when the gross weight of the loaded trailer/semitrailer is less than 3,000 pounds or when it is not used on the highway (IC 9-17-7-1 and 9-17-7-2).

**Motor Vehicle Registration and License Plates** are required for all trailers (including homemade) and semitrailers, regardless of size. The one exception is that a farm wagon or farm type dry or liquid fertilizer tank trailer or fertilizer spreader used to transport bulk fertilizer between a distribution point and the farm does not require a plate when towed by a farm tractor or a registered truck (IC 9-29-5-12).

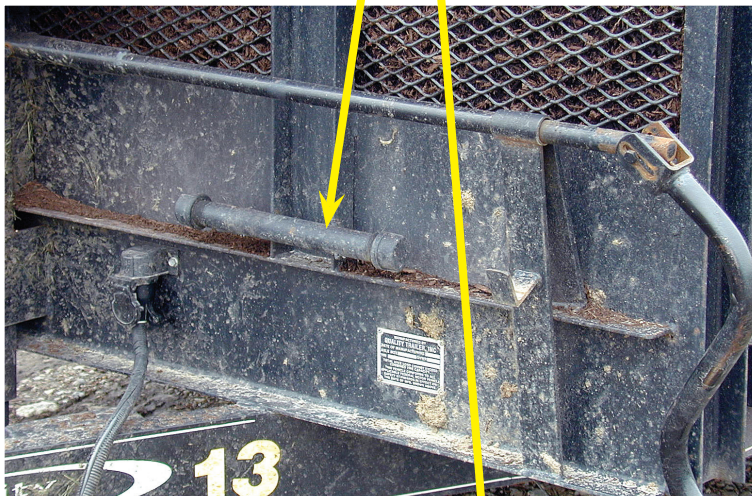


**D**rivers must carry trailer registrations to present upon request by law enforcement officials. If multiple trailers/ semitrailers are attached randomly to various trucks, it is advisable to carry copies of all trailer registrations in each truck. Law enforcement personnel will accept copies or originals (IC 9-18-2-21).

**A**nother option is to place each trailer's registration onboard the trailer itself. In the photo on the right, a plastic pipe is used to store the registration inside an enclosed trailer. The examples below show pipes containing the trailer's registration papers. If you choose this method, make sure the pipe is watertight.

**Wheel Tax** can be charged on all trailers and semitrailers.

**Plate Weight.** The classification of a piece of equipment as a trailer or semitrailer is an important distinction relative to plate weight. A trailer must have a plate weight rating that



covers the total weight of the trailer and its load. The truck pulling the trailer must be plated to cover the weight of the truck, its load, and the weight transferred from the trailer tongue to the truck.



**S**emitrailer plates are not assigned a weight rating; that is, Indiana semitrailer plates are not apportioned. The truck tractor plate covers the weight of the truck tractor, the semitrailer, and the load.

**T**here is no state law that prevents a truck tractor from pulling a trailer bearing a weight-rated plate, provided the truck tractor carries a plate that covers the truck tractor, trailer, and load. Trailers with weight-rated plates may be pulled by truck tractor/semitrailer combinations or by pickup trucks.



**Grower question:** *I am writing in regard to the placement of license plates on a trailer. We are using box trailers and would like to mount the plates near the top of the trailers with a light mounted just as it would be if placed at the bottom. Hopefully, this will keep us from damaging the plates and make them easier to see. Is top placement acceptable?*

**Answer:** *The answer is yes, as long as the plates are mounted horizontally on the rear of trailer and are lighted after dark.*

**Farm Plates** can be purchased at reduced prices, based on declared gross weight, beginning at 11,000 pounds for farm trucks and 12,000 pounds for farm trailers (IC 9-29-5-13). Semitrailer farm plates do not have weight ratings.

**Farm plates** no longer display the declared gross weight. However, the declared gross weight is listed only on the registration document.

**An Exception for Farm Plate Weights** may be applied under precise circumstances. Growers may plate at empty weights and still haul full loads of product from field or farm to point of delivery under this exception. The exception is very specific, and penalties for noncompliance can be very costly. (Read carefully the specifics contained in the Indiana Commercial Motor Vehicle Letter found in the Appendix, pages 72-73).

**Vehicles** plated at empty weights are not allowed on the interstate when carrying a load; travel on the interstate when empty is okay since the plate covers the empty weight. Bridge postings and highway weight limits apply; the actual weights of the vehicles, trailers, and loads are used to compute gross weight.

**License Plate Placement.** The license plate must be mounted on the rear of the trailer/semitrailer, with the bottom edge of the plate at least twelve inches from the ground. It must be mounted horizontally, secured from swinging, and clearly visible and legible (IC 9-18-2-26).

**License Plate Lights.** License plates must be illuminated with a white light so that they are readable from fifty feet (IC 9-19-6-4).

**VIN** stands for Vehicle Identification Number. The VIN must be permanently displayed on all manufactured or homemade trailers/semitrailers over 3,000 pounds. It may be engraved on a plate mounted to the trailer or etched into the steel tongue or side rail.

**If** a VIN tag falls off or becomes unreadable, the manufacturer should be contacted to get a replacement tag for the frame rail (IC 9-17-4-2). A VIN can be obtained for a homemade trailer by completing paperwork issued by the Indiana Bureau of Motor Vehicles. A law enforcement official will verify the information and confirm that the marking is permanently attached to the trailer.

**Brakes** on all wheels are required for each trailer/semitrailer when *one* of the following conditions is met:

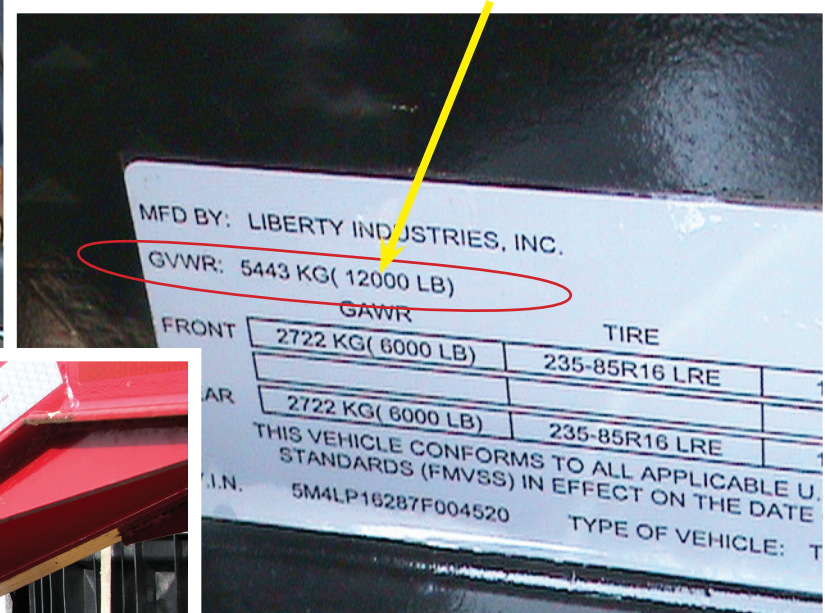
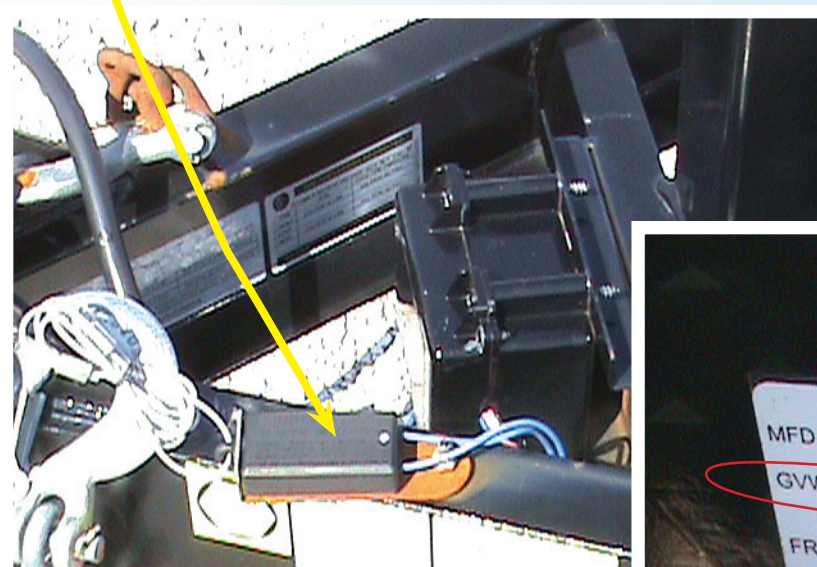
- If a trailer is operated on a highway and the gross weight of the trailer and its load is greater than 3,000 pounds (IC 9-19-3-3 and 9-19-3-4), or

- If the total weight (trailer plus cargo) exceeds 40 percent of the Gross Vehicle Weight Rating (GVWR) for the truck [49 CFR 393.42(b)(4)]. Assume a truck has a GVWR of 9600 pounds. If the weight of the trailer and load exceeds 3,840 pounds, then brakes would be required for the trailer ( $9600 \times .40 = 3,840$ ).

**Break-Away Brakes** are required for any trailer/semitrailer that requires brakes.

**Surge Brakes** are allowed only when the following trailer GVWR and truck GVWR conditions are met:

- The trailer has a GVWR of 12,000 pounds or less and the GVWR does not exceed 1.75 times the GVWR of the truck.
- The trailer has a GVWR of 12,000 to 20,000 pounds and the GVWR does not exceed 1.25 times the GVWR of truck.
- The trailer has a GVWR of more than 20,000 pounds and has a second means of braking.



**Example:** The GVWR for the trailer (middle and lower photos, page 37) is 12,000 pounds, so brakes are required. Determine whether surge brakes can be used when the trailer is towed by a truck with a 9,600-pound GVWR and when towed by a smaller truck with a 4,500-pound GVWR.

**Larger Truck:**

$1.75 \times 9,600 = 16,800$  pounds (maximum trailer GVWR for the larger truck)

Since 16,800 is greater than 12,000, surge brakes would be permissible if the trailer were to be towed by the larger truck.

**Smaller Truck:**

$1.75 \times 4,500 = 7,875$  pounds (maximum trailer GVWR for the smaller truck)

Since 7,875 is less than 12,000, surge brakes would not be permissible if the trailer were to be towed by the smaller truck.

**Safety Chain.** Regulations require that two safety chains be used to attach the trailer to the truck at points other than the hitch; the chain must have an ultimate breaking strength equal to (or greater than) the gross weight of the trailer and its load [49 CFR 393.70 (d)(5)]. When the chains that come with a trailer are lost or damaged, insurance companies generally recommend grade 80 safety chains as replacements.



**Lights and Turn Signals** are required on any size trailer/semitrailer, regardless of weight and whether homemade or manufactured (IC 9-21-7 for specific requirements).

**Retrofitting Reflective Tape** is required on all trailers/semitrailers that have both a GVWR greater than 10,000 pounds and a width of 80 inches or more. The tape must cover at least 50 percent of the length of each side of the trailer and be evenly distributed along the length (49 CFR 393.13).

**Length, Width, and Height.** Growers are exempt from the width, length, and height requirements of trailers/semitrailers pulled as implements of agriculture by a tractor, truck, or truck tractor on any state road. However, a tractor, truck, or truck tractor may pull only two implements of agriculture at a time.



**Trailer.** When a truck is pulling a trailer not identified as an implement of agriculture, the width of the truck/trailer must be no more than 8 feet 6 inches wide (IC 9-20-3-3); the two-vehicle combined length must be no more than 60 feet (IC 9-20-9-1). A three-vehicle combination must not exceed 65 feet (IC 9-20-9-2). Oversize/overweight combinations require a special permit.

**Semitrailer.** A truck tractor/semitrailer combination not considered an implement of agriculture has a different length allowance. The truck tractor has no bearing on the total length allowed, but the longest semitrailer allowed on Indiana highways is 53 feet. If the semitrailer is longer than 48 feet 6 inches, the distance from the center of the rear-most axle to the center of the king pin may not be longer than 43 feet (IC 9-20-13-4). A truck tractor may pull two trailers, but each trailer may be no longer than 28 feet 6 inches. The width of a truck tractor/semitrailer combination must measure no more than 8 foot 6 inches (IC 9-20-3-3).

**Note:** The length of a trailer/semitrailer includes the load. For instance, a 48-foot semitrailer with a load that extends two feet over the front and four feet past the rear would be considered 54 feet long and in violation of the length allowance.

In addition, a trailer/semitrailer that is not considered an implement of agriculture and that is not over 8 feet 6 inches wide (23 CFR 658.15 and IC 9-20-3-2) may not carry items that extend beyond the fender on the left side of the vehicle, nor may the load extend more than 6 inches past the fender on the right side. If the load exceeds the 8 feet 6 inches, an oversize load permit is required. The federal DOT excludes tie down brackets on the sides from these rules (23 CFR 658.16(b)(2)).



**Posted Bridge Weights.** Trailers and semitrailers are subject to posted bridge weights (IC 9-20-4-2, 9-20-7-1 and 9-20-7-4).

**Slow Moving Vehicle Signs.** Trailers/semitrailers do not require SMV signs because their normal speed exceeds 25 miles per hour.

**Red Flags** must be used in the daytime for hauling loads that extend four feet or more from the end of a trailer/semitrailer. The flags must be attached at the farthest point from the trailer/semitrailer. A red light is required if the same load is moved at night (IC 9-21-7-7).

**Frost Laws** must be followed.

**Oversize/Overweight Permits** are required when the load being carried by a trailer/semitrailer is wider than eight feet, six inches; when the two-vehicle combination exceeds 60 feet, or when the gross weight is more than 80,000 pounds (IC 9-20-4). In addition to acquiring the state permit, the driver is required to flag the widest portion of the load. An oversize load banner must be placed on the front of the truck and on the rear of the combination. Lights must be mounted to the extremities of the load (e.g., outer edges of a combine on a trailer) for transportation after dusk. An escort service is required when the load is wider than 14 feet. A state police escort also is required when the load being carried is wider than 16 feet or higher than 13 feet 6 inches, or if it weighs more than 108,000 pounds. See photos on page 42.



**Traffic Flow.** Trailers and semitrailers must not cause unreasonable interference with other highway traffic (IC 9-21-8-47). The “Three Car Rule” states that a person may not drive a motor vehicle at a slow speed that impedes or blocks the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with the law. A person who is driving at a slow speed so that three or more other vehicles are blocked and cannot pass on the left shall give right-of-way to the other vehicles by pulling off to the right of the right lane at the earliest reasonable opportunity and allowing the blocked vehicles to pass (IC 9-21-5-7).

**Interstate Restrictions** do not apply to trailers and semitrailers unless they are being used as an implement of agriculture.

**Unified Carrier Registration** requires growers who operate commercial motor vehicles in interstate commerce to register their farm with the Indiana Department of Revenue Motor Carrier Services Division and pay an annual fee based on their fleet size. Any truck or trailer with a gross vehicle weight exceeding 10,000 pounds must pay this additional fee if crossing state lines (Unified Carrier Registration Act of 2005, 49 USC Section 1450a).



Extra wide loads require additional measures to protect the driving public.



PERMISSIBLE GROSS LOADS FOR VEHICLES IN REGULAR OPERATION

Based on weight formula

$$W = 500 \left[ \frac{LN}{N-1} + 12N + 36 \right]$$

Distance in feet (L)  
between the extremes of  
any group of 2 or  
more consecutive axles

Maximum load in pounds carried on any group of 2 or more consecutive axles:

N =		2 AXLES	3 AXLES	4 AXLES	5 AXLES	6 AXLES	7 AXLES	8 AXLES	9 AXLES
Tandem Axle Weight	4	34,000							
	5	34,000							
	6	34,000							
	7	34,000							
	8 & less	34,000	34,000						
	more than 8	38,000	42,000						
	9	39,000	42,500						
	10	40,000	43,500						
	11		44,000						
	12		45,000	50,000					
	13		45,500	50,500					
	14		46,500	51,500					
	15		47,000	52,000					
	16		48,000	52,500	58,000				
	17		48,500	53,500	58,500				
	18		49,500	54,000	59,000				
	19		50,000	54,500	60,000				
	20		51,000	55,500	60,500	66,000			
	21		51,500	56,000	61,000	66,500			
	22		52,500	56,500	61,500	67,000			
23		53,000	57,500	62,500	68,000				
24		54,000	58,000	63,000	68,500	74,000			
25		54,500	58,500	63,500	69,000	74,500			
26		55,500	59,500	64,000	69,500	75,000			
27		56,000	60,000	65,000	70,000	75,500			
28		57,000	60,500	65,500	71,000	76,500	82,000		
29		57,500	61,500	66,000	71,500	77,000	82,500		
30		58,500	62,000	66,500	72,000	77,500	83,000		
31		59,000	62,500	67,500	72,500	78,000	83,500		
32		60,000	63,500	68,000	73,000	78,500	84,500	90,000	
33			64,000	68,500	74,000	79,000	85,000	90,500	
34			64,500	69,000	74,500	80,000	85,500	91,000	
35			65,500	70,000	75,000	80,500	86,000	91,500	
36			Exception (see page )	70,500	75,500	81,000	86,500	92,000	
37			{ 66,500 }	71,000	76,000	81,500	87,000	93,000	
38			{ 67,500 }	71,500	77,000	82,000	87,500	93,500	
39			68,000	72,500	77,500	82,500	88,500	94,000	
40			68,500	73,000	78,000	83,500	89,000	94,500	
41			69,500	73,500	78,500	84,000	89,500	95,000	
42			70,000	74,000	79,000	84,500	90,000	95,500	
43			70,500	75,000	80,000	85,000	90,500	96,000	
44			71,500	75,500	80,500	85,500	91,000	96,500	
45			72,000	76,000	81,000	86,000	91,500	97,500	
46			72,500	76,500	81,500	87,000	92,500	98,000	
47			73,500	77,500	82,000	87,500	93,000	98,500	
48			74,000	78,000	83,000	88,000	93,500	99,000	
49			74,500	78,500	83,500	88,500	94,000	99,500	
50			75,500	79,000	84,000	89,000	94,500	100,000	
51			76,000	80,000	84,500	89,500	95,000	100,500	
52			76,500	80,500	85,000	90,500	95,500	101,000	
53			77,500	81,000	86,000	91,000	96,500	102,000	
54			78,000	81,500	86,500	91,500	97,000	102,500	
55			78,500	82,500	87,000	92,000	97,500	103,000	
56			79,500	83,000	87,500	92,500	98,000	103,500	
57		Interstate Gross Weight Limit (see page )	{ 80,000 }	83,500	88,000	93,000	98,500	104,000	
58				84,000	89,000	94,000	99,000	104,500	
59				85,000	89,500	94,500	99,500	105,000	
60				85,500	90,000	95,000	100,500	105,500	

<sup>1</sup>The permissible loads are computed to the nearest 500 pounds as required by statute.

<sup>2</sup>The following loaded vehicles must not operate over H15-44 bridges: 3-S2 (5-axle) with wheelbase less than 38 feet; 2-S1-2 (5-axle) with wheelbase less than 45 feet; 3-3 (6-axle) with wheelbase less than 45 feet; and 7- 8- and 9-axle vehicles regardless of wheelbase.

**Question.** Can anyone clarify the law on this? A manure hauler was pulled over and cited for being overweight (i.e., over 80,000 pounds). The hauler was under the impression that his legal weight limit was 88,000 pounds since his cargo was agriculture-related. The officer explained that his limit was 80,000 pounds since the load was not an agricultural commodity.

**Answer.** The grower should receive a 10 percent tolerance because manure is considered an agricultural product by definition (Indiana Administrative Rule 119: Composite Commodity List) if it is straight out of a lagoon pit or something similar. This applies only if hauling manure from your own operation, if following weight limits, and if staying off of the interstate highway.

**Now** comes the question of weights. If a grower is hauling manure from his own operation, then he is in fact transporting an agricultural commodity. As such, he is entitled to a 10 percent allowance over the legal limit on his truck or combination. If the truck could legally carry the 80,000 pounds, the 10 percent allowance would be 8,000 pounds. The total of 88,000 pounds would be the maximum weight that he could carry on his farm plate. To establish the maximum weight a truck tractor may carry, refer to the bridge table on page 43.

**Question.** Is it legal to park farm trucks along county roads while filling them with grain or while supplying fertilizer or seed to a planter? Are hazard flashers required? Is there a rule relative to parking with or against the flow traffic?

**Answer.** It is illegal for a grower to park farm trucks and trailers on shoulders in pursuit of their farming operation (IC 9-21-16-1). However, law enforcement officials accept the situation described in the body of the question as an accepted farm practice.

**Legal** action could arise from an accident involving a truck and trailer parked alongside a highway, and that is the concern. Park as far off the shoulder as possible. It is recommended that you park the truck and trailer with the flow of traffic and display flashing lights.

**Question.** Does a grower have to obtain fuel permits when crossing state lines?

**Answer.** Growers are required to obtain fuel permits in some cases when crossing state lines in their DOT-regulated vehicles. The fuel permit is called the International Fuel Tax Agreement (IFTA). Currently, traveling into Kentucky and Michigan does not require the IFTA fuel permit; but traveling into Ohio and Illinois does require the permit.

**Question.** How do I calculate the weight that I may carry when I drop the floating (tag) axle to the ground?

**Answer.** The added axle allows the trailer or the truck to carry more weight; the exact amount depends on the bridge law; go to [www.itsdocs.fhwa.dot.gov//JPODOCS/BROCHURE//11186.pdf](http://www.itsdocs.fhwa.dot.gov//JPODOCS/BROCHURE//11186.pdf). A copy of the table is on page 43.

The tandem axle becomes a tri-axle that may carry up to 50,000 pounds.

However, some floating axles don't have dual tires; and, in these cases, the tandem axles are allotted 34,000 pounds. The single tag axle is allowed 800 pounds per inch of width or the weight rating of the tire (whichever is less) up to 50,000 pounds.



**Question.** Why can't I plate my truck tractor based on its empty weight since I use it only to transport bulk seed, backhoes, and water to my fields?

**Answer.** The law says that you may plate the truck tractor based on its empty weight only if it is used solely to transport your farm-grown commodities to their first point of delivery.

The transport of bulk seed, backhoes, and water to your fields constitutes an additional use; therefore, the truck tractor must bear a plate based on the weight of the cargo (see Appendix).

**Question.** Is the dyed fuel I buy as a grower exempt from Indiana sales tax?

**Answer.** Indiana growers are not exempt from paying sales tax. However, you do not have to pay the underground storage tax (currently one cent per gallon) or the state fuel surcharge tax (currently 11 cents per gallon).

**Question.** Are there any limitations if a grower wants to pull two semitrailers behind his truck tractor?

**Answer.** Each trailer may be no longer than 28 feet 6 inches, and the gross weight may not exceed 80,000 pounds.

# Test Your Knowledge

**1** Does this cattle trailer need a license plate? If yes, does the plate shown meet the regulations as to location and lighting?

**Answer.** If the trailer is pulled on the highway (i.e., any road) it needs a license plate. The plate is on the rear of this trailer, lighted with a white light, and clearly visible; therefore it meets the regulations.



**2** Do you see any problem with this trailer?

**Answer.** Yes. The plate is partially obscured by a rail, not lighted, and mounted less than 12 inches from the ground.



3

Is this plate in a proper location and position?

**Answer.** Yes it is; sometimes the license plate cannot be placed in the center of the trailer. A multi purpose taillight provides a white light to the plate and a red light to the rear, as required. The license plate is located 12 inches from the ground, and it is easily seen from the rear of the trailer.



4

Is this a trailer, a wagon, or an implement of agriculture? If it were pulled on the highway behind a tractor during the day, what would it need?

**Answer.** It is a wagon that is also an implement of agriculture. The only requirement for putting it on the highway during the day is a slow moving vehicle sign on the rear of the tractor, the wagon, or both.



5

This manure spreader (bottom photo) is pulled by a tractor from one farm to another (a half mile), on a rural road, during the day. Where would you place the slow moving vehicle sign so that both implements of agriculture would be allowed on the highway?

**Answer.** A slow moving vehicle sign placed on the tractor so that it is clearly visible to the rear would be legal. It would be difficult to place one on the manure spreader where it would remain visible, clean, and attached. Consider placing it off to the side, mounted on a metal pole.



**6** This semitrailer is pulled by a truck tractor. What plate is required on the semitrailer and the truck tractor? May the truck tractor be plated for its empty weight when pulling the semitrailer?

**Answer.** The semitrailer requires the Indiana semitrailer plate. The plate rating for the tractor would be based on the weight of the truck tractor, the semitrailer, and the load. The empty weight exemption would not apply because the semitrailer does not meet the requirement of carrying farm products to be sold at market (see Appendix, pages 72-73).



**7** Would this grower be stopped by law enforcement officials?

**Answer.** Yes. Although the trailer is plated and has lights, although the load fits within the bed of the truck, and although the driver is pulling into the right-hand lane to allow traffic to pass, a taillight is missing.



**8** When do trailers have to display reflective tape?

**Answer.** Trailers must display reflective tape when the GVWR is greater than 10,000 pounds and the width is 80 inches or more.



**9** This plated trailer hauling a tractor between farms is displaying a slow moving vehicle sign. As evening approaches, what else would be needed to be legal and safe?

**Answer.** Lights, reflectors, and flashing lights would be required.



**10** Is this implement of agriculture (middle photo) with a slow moving vehicle sign and flashers legal on an interstate highway?

**Answer.** No. Implements of agriculture are not allowed on interstate highways.



**11** Describe the use of this wagon (bottom photo). When would this wagon need brakes?

**Answer.** This wagon operates as a fertilizer spreader; the slow moving vehicle sign indicates that it normally travels less than 25 miles an hour. It would be classified as an implement of agriculture when being pulled by a tractor or a truck at 25 mph or less. Although the grower registered the wagon as a trailer, it was unnecessary. The wagon does not need brakes because it is an implement of agriculture.



# 12

**What would be legally required for the truck-tractor/semitrailer combination and for the tractor pulling the implements of agriculture on a highway?**

**Answer for Truck Tractor/Semitrailer Combination.** The legal requirements include an unrated semitrailer plate on the semitrailer and a plate on the truck tractor that covers the total weight of the truck tractor, the semitrailer, and the load. The driver has to show a registration for both the truck tractor and the semitrailer along with proof of annual inspection; working lights, brakes, and turn signals (for each) are required as well. Neither the truck tractor nor the semitrailer is required to display a slow moving vehicle sign. Both the truck tractor and the semitrailer would need to be registered under the Unified Carriers Registration to legally cross state lines.

**Answer for Farm Tractor-Implements of Agriculture.** The farm tractor could pull both implements of agriculture on a highway, with only one stipulation: a slow moving vehicle sign clearly visible to approaching traffic. If the tractor and its implements were to be driven on a highway as night approaches, then visible flashing lights would be required on the rear of the tractor or the implement.



# 13

Describe how this wagon would be operated on the highway.

**Answer.** An unplated wagon with a slow moving vehicle sign normally would not exceed 25 mph. This specific piece of equipment would need rear flashing lights if towed on the highway at night since its size would block the flashing lights on the tractor.



# 14

This wagon is being filled at an agricultural retail facility and then pulled by a farm tractor back to the farm during daylight hours. What would it need to go on the highway?

**Answer.** Highway travel would require a slow-moving vehicle sign. Interstate travel is prohibited.



# 15

May a grower pull these two anhydrous ammonia wagons? Do they need to be plated?

**Answer.** A farmer may pull these wagons behind a tractor or pickup truck, up to 25 miles per hour. The wagons would not have to be titled and plated because they are implements of agriculture.



**16** Are both slow moving vehicle signs required?

**Answer.** Yes. The slow moving vehicle sign on the tractor is blocked by the wagon; therefore, the wagon must display an SMV sign as well.



**17** Is this trailer hauling a combine on an interstate or state highway legal?

**Answer.** Yes. It has an “oversize load” banner, flags, and lights, which qualifies it to travel on either a state or interstate highway.



**18** Is this a wagon, trailer, or implement of agriculture?

**Answer.** This is a trailer being used as an implement of agriculture; the fertilizer box is built on the trailer, thus limiting it to a single use. It would have to travel less than 30 mph and have a slow moving vehicle sign attached. It would not need to be plated.

If the fertilizer trailer were generally pulled at more than 30 mph, it would fall under the warning on page 21.



# 19

**Do implements of agriculture need safety chains?**

**Answer.** No. Safety chains are not required on implements of agriculture as long as they do not cross state lines.

**However, consider these two accidents:**

**Case 1.** A grower had connected an anhydrous ammonia nurse tank to his tool bar and tractor. He did not attach safety chains to the tool bar. Unfortunately, the hitch was not properly latched; and 50 yards into the field, it disconnected. The quick coupler failed to function and the hose snapped, releasing 4,000 pounds of ammonia. Local, state, and federal officials were notified, and the Indiana Department of Environmental Management was called to the scene. Ammonia-soaked soil had to be excavated and field-applied. Safety chains would have prevented this accident.

**Case 2.** A grower was towing an anhydrous ammonia nurse tank connected to a tool bar behind his tractor on the highway (above). The hitch on the tractor broke, sending the tool bar and nurse tank into the ditch, breaking a utility pole and entangling the tool bar in the power lines; the nurse tank rolled, releasing 5,000 pounds of ammonia. The road was closed for several hours. Safety chains would have prevented the accident.



20

Why would this police officer be interested in this grower?

**Answer.** Growers may not pull more than two pieces of equipment behind a truck or tractor. The fact that the tanks are empty is irrelevant.



21

Would this trailer with a GVWR of 2990 pounds be required to have brakes?

**Answer.** No. Trailers with a GVWRs under 3,000 pounds are not required to have brakes. However, when a trailer's load exceeds 3,000 pounds, brakes are required.



# 22

Is this a trailer or a semitrailer? How should it be plated?

**Answer.** It can be either one. If it is pulled by a pickup truck, it's a trailer. Under this scenario, it would need to be plated for the weight of the trailer plus the load. If it is pulled by a truck tractor, it is a semitrailer and therefore requires a standard semitrailer plate. If it is to be pulled by both, interchangeably, the weighted plate is required.



# 23

Is the trailer legally allowed on the highway?

**Answer.** Yes. The trailer is plated and has lights and reflective tape.



# 24

Is this a trailer or a semitrailer? What kind of plate would you expect on the semitrailer and the truck tractor when the producer is hauling his hay to market?

**Answer.** It is a semitrailer since it is pulled by a truck tractor. The standard semitrailer farm plate would work. The truck tractor could be plated two ways: based on the weight of the semitrailer plus the load and the weight of truck tractor; or based on its empty weight, in which case the requirements on pages 72-73 would apply.



25

**What would be needed to place this combine on the highway at night? This trailer with grain will be taken back to the farm. What would it need to go on the highway?**

**Answer.** Combines manufactured prior to July 1, 2006, require flashing lights and a slow moving vehicle sign for travel on a highway at night.

The trailer loaded with grain is considered an implement of agriculture, so it requires an SMV sign. Flashing lights are required, also, but those on the truck would suffice if visible from behind the trailer; if not, the implement itself would require a set of flashing lights.



26

**Are there any requirements for this wagon if it never leaves the farm? What if it only goes on the highway for a quarter of a mile between fields?**

**Answer.** There are no requirements for equipment that never leaves the farm. But if this wagon were placed on the highway during the daytime, even for a short distance, a slow moving vehicle sign would be required.



27

Is this truck required to have a slow moving vehicle sign, license plates, flashers, or safety chains?

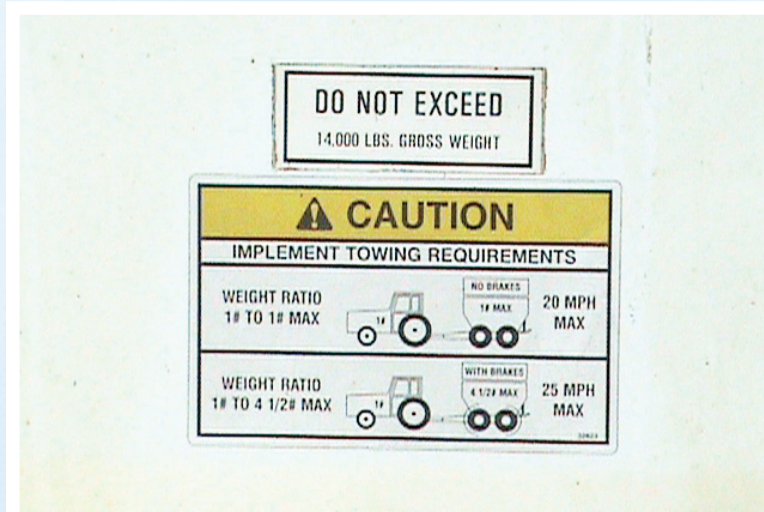
**Answer.** The tank trailers are considered implements of agriculture; therefore, only the slow moving vehicle sign is required.



28

Would it be a legal violation to travel faster or be loaded heavier than the limits assigned to this piece of equipment?

**Answer.** No. Exceeding the GVWR and other warnings becomes an issue at the scene of an accident. When excessive speed or cargo weight is noted as a factor in the accident report, the possibility exists that attorneys could say it contributed to the cause — or caused — the accident.



29

This trailer carrying the farm bulldozer is 10 feet wide. Would the grower be allowed to pull this with a tractor on a highway? Would it need to be plated?

**Answer.** Yes. A grower may use a farm tractor to move any piece of equipment used as part of the farm operation. No, the trailer would not need to be plated. There are no width and length restrictions for this combination for traveling on highways other than interstates.



**30** What are the legal requirements for driving this sprayer on a highway?

**Answer.** This sprayer normally must be driven under 25 mph, and a slow moving vehicle sign is required.



**31** Why are slow moving vehicle signs needed for both the tractor and the planter shown in these two photos?

**Answer.** Notice that in the photo on the right you can't see the slow moving vehicle sign on the tractor when standing directly behind the planter; it is visible, however, in the bottom photo. Lack of visibility requires a slow moving vehicle sign on the trailing planter.



32

What is the potential problem with the liquid applicator in the upper photo versus the one in the lower photo?

**Answer.** Part of the slow moving vehicle sign is missing from the applicator in the top photo; also, it is placed rather low on the poly tank. The bottom photo shows an intact slow moving vehicle sign prominently displayed high on the tank. If the top applicator were rear-ended, the lawyer for the defendant would have a cause of action against the owner of the liquid applicator, even if the defendant were at fault.



33

You notice a sprayer driving down the road in the distance. What do you expect to see as you get nearer to the sprayer?

**Answer.** A slow moving vehicle sign is required, but reflective tape and flashing lights are recommended.



34

Would the grower driving the sprayer in the middle photo be cited for taking up the entire road?

**Answer.** There are no limitations on how much road a grower may occupy with farm vehicles and equipment.



35

A grower has his truck tractor farm plated at 78,000 pounds, but he has heard about plating truck tractors at empty weight. Does the truck in the bottom photo meet the criteria for plating at empty weight?

**Answer.** The truck tractor/ semitrailer combination does not meet the qualifications for an empty weight license plate. A truck tractor plated for the empty weight of both tractor and trailer can be used only to transport farm products to the marketplace. When the truck tractor-semitrailer combination hauls anything else to town or to the fields, the license plate has to cover the weight of the truck, trailer, and load.



**36** Do the rules for operating farm equipment on highways include gravel roads?

**Answer.** Yes. The only roads to which the regulations do not apply are those on personal property.



**37** How many additional wagons, trailers, or implements may be pulled behind this tractor?

**Answer.** Growers may pull two implements behind a truck or tractor, but there are no length limits. Thus, this tractor may pull one more tank or another piece of equipment.



**38** Why is it illegal to pull these three hay wagons on a highway?

**Answer.** Growers may pull only two implements behind a truck or tractor.



**39** What would you expect to see on the back of this trailer?

**Answer.** The trailer requires a license plate, brakes, and lights.



**40** Is this a trailer or an implement of agriculture??

**Answer.** It is a trailer since the tank and its base are not permanently mounted. It would need to be plated and equipped with lights and brakes.



**41** The grower uses this truck only to haul grain from the field to the farm or to the elevator. So what weight of plate could be registered to this truck?

**Answer.** The truck qualifies for a farm plate. And if it is used only to carry the grower's grain and stays off the interstate, it could be plated at its empty weight instead of full weight — as long as the requirements in the Appendix (pages 72-73) are followed.



42

Do you see anything wrong with this mint wagon?

**Answer.** No. A driver approaching from the rear can easily see the slow moving vehicle sign.



43

Would this combination of tractor and grain wagons be legal on the highway?

**Answer.** No. A tractor may not pull more than two wagons, trailers, or implements of agriculture on a highway (these regulations do not apply when on private property).



# 44

A car is approaching these farm implements on the highway. Do you see anything of concern?

**Answer.** The trailing implement of agriculture needs its own set of flashing lights and a slow moving vehicle sign.



# 45

When would this grower have to pull over?

**Answer.** When three or more vehicles are following *and* there is a safe place to pull over on the right-hand side.



46

**Do you see anything of concern in the top and middle photographs?**

**Answer.** Yes. Neither implement of agriculture has a slow moving vehicle sign. This omission could lead to legal issues in the event of an accident.



47

**Why is this trailer plated if it is carrying an implement of agriculture?**

**Answer.** All multipurpose trailers require plates, no matter what they carry.



**48** What is wrong with the trailer in this photo?

**Answer.** There is a light out on the right-hand side.



**49** What is missing on this implement of agriculture?

**Answer.** A slow moving vehicle sign.



# Conclusion

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**No** grower wants to be delayed by law enforcement officials during the planting or harvest season for violating the state's transportation regulations. Failure to comply with the regulations might result in downtime or a ticket, but at worst it could cause a serious accident on



the highway. A truck tractor pulling an overloaded semitrailer requires a longer distance to stop than if not overloaded. Equipment without flashing lights, pulled after dark, can cause accidents and lengthy legal challenges. Noncompliance on the part of the grower puts the law on the other guy's side whenever an accident occurs.



**W**ith traffic moving so fast and drivers becoming increasingly distracted at the wheel, growers should go the extra mile to make sure that those approaching from the rear are able to see the SMV signs and/or flashing lights from a safe distance.



**B**ut it's more than just winning or losing in court. No one wants to cause personal injury on the highway. Being safe and being legal is not an either/or situation. The transportation regulations provide the standard for operating within the state, whether it's a car driven by your next-door neighbor or farm equipment traveling the highway. When it's said and done, the regulations serve both the grower and public.



# Acknowledgments

The following individuals provided numerous comments on the early drafts of this publication, which greatly improved its technical accuracy.

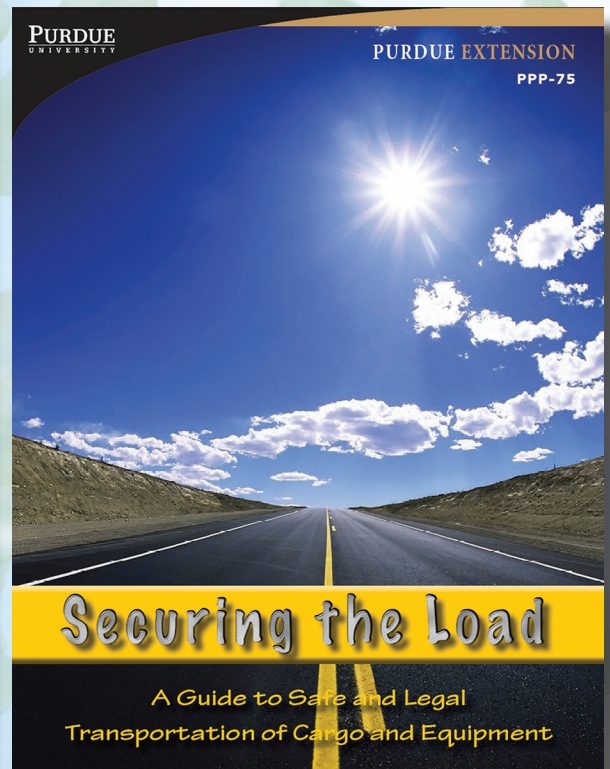
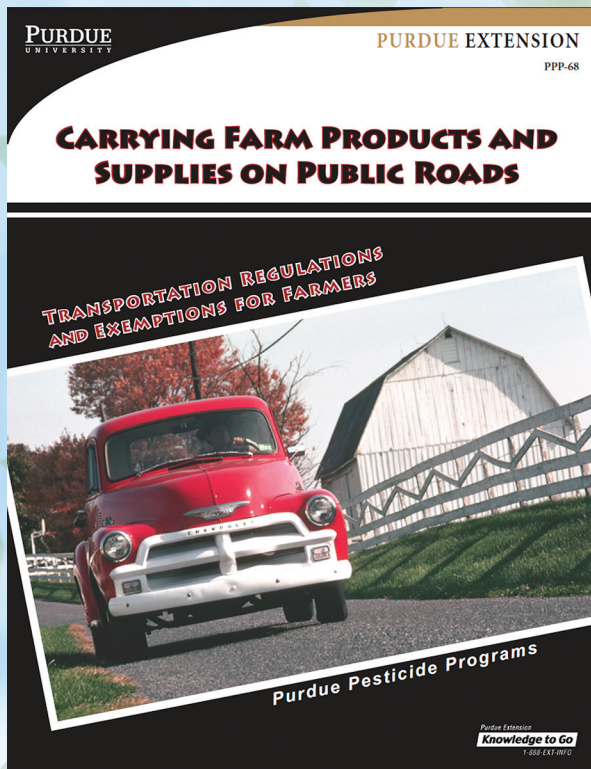
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**S**teve Smith, Red Gold

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**PURDUE PESTICIDE PROGRAMS IS A GROWER'S SOURCE OF TRANSPORTATION INFORMATION**



**“If we as farmers  
do not follow the  
existing rules,  
we may lose some  
of the privileges  
afforded us.”**

**(Quote from an Indiana Grower)**

# A

STATE OF INDIANA  
**INDIANA STATE POLICE**

# E

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March 5, 2007

Mr. Fred Whitford  
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Department of Botany and Plant Pathology  
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Mr. Whitford:

The Commercial Vehicle Enforcement Division, a division of the Indiana State Police, is the primary entity responsible for enforcement of size and weight statutes in the state, and for enforcement of the Federal Motor Carrier Safety Regulations. Part of our responsibility includes a duty to provide clear, concise, and correct information regarding Indiana statutes. Specifically, this memorandum's intent is to address frequently asked questions dealing with trucks registered for or used as farm vehicles, in an effort to assist you with communicating this information to Indiana farmers.

Indiana Code 9-20-4-2 addresses farm commodities, the transportation from place of production to first point of delivery, and related limited exemptions. Section two of the statute states:

**Sec.2. (a) Section 1 of this chapter relating to vehicle weight, IC 9-30 assessing a penalty for transporting a load in excess of the registered limit of the load for the transporting vehicle, and IC 9-30 prohibiting a person from moving a transported vehicle with an excess load until a penalty is paid do not apply to a vehicle or combination of vehicles that transports farm commodities from the place of production to the first point of delivery where the commodities are weighed and title to the commodities is transferred if the weight of the vehicle with load or combination of vehicles with load does not exceed the gross weight limit by more than ten percent (10%).**

**(b) The exemption in subsection (a) does not apply to the following:**

- (1) Weight limits imposed for bridges or sections for highways under IC 9-20-1-4.**
- (2) A vehicle operated on any part of an interstate highway.**

**(c) For purposes of this section, "farm commodities" includes logs, wood chips, bark, sawdust, and bulk milk. The exemptions that apply to vehicles that transport farm commodities under subsection (a) apply to the transportation of wood chips, bark, and sawdust at all times if the weight of the vehicle with load does not exceed either the gross weight limit or the axle weight limit by more than ten percent (10%)**

# N D I X

Commercial Vehicle Enforcement Division personnel have been provided the following interpretations for the enforcement of this statute:

- A farmer may plate a farm truck or combination farm vehicle with a declared registered weight that represents the empty weight of the farm vehicle or combination farm vehicle if he transports farm commodities from the field or farm to the first point of delivery where weighed and titled, (the grain elevator), as long as the gross weight of the combination of vehicle(s) and load does not exceed the allowable total gross weight by 10%. Exceeding the 10% allowance, or operating in any capacity other than from the field or farm to the first point of sale would result in enforcement action, and the amount overweight is determined by the declared weight (plate registered weight).
- A farmer may not cross bridges or other sections of highways exceeding the posted restricted weight limits that have been determined by The Indiana Department of Highways as allowed by 9-20-1-4. If a farmer exceeds a posted state weight limit on a bridge or highway they lose the exemption. Full enforcement may be taken on the overweight from the farm to the elevator, and the amount overweight is determined by the declared weight (plate registered weight).
- The exemption is not valid on the interstate system.
- Farm commodities for the purpose of (a) and (b) are for the typical crops farmers produce (corn, soybeans, grains, vegetables, etc.). For those, only gross weight is examined to determine if the exemption is valid. For the additional farm commodities listed in (c) to qualify for the exemption, the gross weight and the axle weight limits cannot be over 10% over the normal legal limit. If either the gross weight exceeds the 10% exemption amount, or any one set of axles exceeds the axle allowable limit (regardless of the total gross weight), this would constitute a violation and the amount overweight would be determined by the declared weight (plate registered weight).

The exemptions in this statute provide an opportunity to provide economic relief to farmers when registering vehicles for farm use, and I encourage eligible persons to take full advantage of this exemption. It is important that persons understand that the exemptions are limited and specific, and operation outside the parameters specifically described by statute, and interpreted above, could result in substantial penalties in an enforcement situation.

I appreciate the effort and energy you have contributed to communicating an array of useful information to Indiana's farmers, and it is my hope that this guidance assists you to that end. Please contact our office at any time, and encourage others to do the same, with any questions at (800) 523-2226. First Sergeant Mike Addison has intimate knowledge on this topic, and developed much of the enforcement policy for our field personnel. Thank you for your conscientious work to improve commercial vehicle safety.

Sincerely,



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Indiana State Police  
Commercial Vehicle Enforcement Division  
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