

KEEPING YOUR WHEELS ON THE ROAD

FARM EQUIPMENT AND THE HIGHWAY TRAFFIC ACT

APRIL 10, 2017

SHARE THE ROAD?



FARM EQUIPMENT ON THE ROAD

- Key definitions
- Rules of the Road
- Driving Age/Driver's Licenses
- Length, Width, Height & Weight
- Load security
- SMV Signs; Towing Implements & Wagons
- Safety Chains
- Lights
- Self-propelled Implements of Husbandry
- Farmer ATV/ORV Use

FARM EQUIPMENT ON THE ROAD

1. Is the road in front of your farm a “highway”?
2. Your tractor/combine is equipped with a seatbelt. Are you **legally** required to wear it on the roads?
3. How many implements/wagons can you tow behind your tractor? Behind your pickup?
4. You have a G DL. Can you **legally** tow a cattle trailer or bale wagon behind your pickup?

FARM EQUIPMENT ON THE ROAD

“farm tractor” means a self-propelled vehicle designed and use primarily as a farm implement for drawing ploughs, mowing-machines and other implements of husbandry and not designed for carrying a load

FARM EQUIPMENT ON THE ROAD

“**highway**” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof

THE ANSWER TO QUESTION 1 IS?

Is the road in front of your farm a “highway”?

- **Yes**, all public roads are “highways”

“roadway” refers to the travelled portion;

“highway” to the full right-of-way; fence line to
fence line

FARM EQUIPMENT ON THE ROAD

“**trailer**” means a vehicle that is at any time drawn upon a highway by a motor vehicle, **except an implement of husbandry**, a mobile home, another motor vehicle or any device or apparatus not designed to transport persons or property, ...

FARM EQUIPMENT ON THE ROAD

“**vehicle**” includes a motor vehicle, trailer, traction engine, **farm tractor**, road-building machine, bicycle, and **any vehicle drawn, propelled or driven by any kind of power**, including muscular power, but does not include a motorized snow vehicle or a street car

FARM EQUIPMENT ON THE ROAD

“farm implement” means any equipment or machinery designed and used for agricultural or horticultural use and includes attachments (Farm Implements Act)

ROAD SAFETY

*“No person shall drive or operate or permit the driving or operation upon a highway of a **vehicle**, a street car or **vehicles** that in combination are in a dangerous or unsafe condition”*

HTA section 84(1)

RULES OF THE ROAD THAT APPLY TO FARM EQUIPMENT

- Stop signs
- Traffic signals
- Yielding right-of-way; yielding 1/2 roadway
- Use of turn signal, head & tail lights
- Impaired driving
- Hand-held devices (*i.e.* cell phone) ban

RULES OF THE ROAD THAT DO NOT APPLY TO FARM EQUIPMENT

- Driving too slow
- Driving on the shoulder
- Brakes on towed farm implements
- Mandatory seat belt use

THE ANSWER TO QUESTION 2 IS?

- **Your tractor/combine is equipped with seatbelts. Are you legally required to wear it on the roads?**
- **Seat belt rules apply to motor vehicles (cars & trucks). Since farm tractors and self-propelled implements of husbandry **are not** motor vehicles, seat belt use is not mandatory.**

WHERE TO DRIVE FARM EQUIPMENT

- **Always** drive on the travelled portion
- Not illegal to drive on the shoulder
- BUT shoulder may not support equipment's weight
- If traffic backs up, move right to let them pass
- Yield ½ roadway to oncoming traffic

AGE TO DRIVE FARM EQUIPMENT

HTA Section 37

- Driver's License **not** required
- Minimum age 16 to drive **along** a highway
- Under age 16; only **directly across**
- **BUT** cannot drive farm equipment, ATVs, etc. on the roads if license suspended for impaired
- Separate DL rules for ATVs & ORVs

FARM EQUIPMENT LENGTH, WIDTH...

- Farm equipment is **exempt** from length, width and height rules (HTA Part VII; S113)
- No max number of wagons behind a tractor
- But must keep them in your lane
- And must be able to stop them

THE ANSWER TO QUESTION 3 IS?

- How many implements/wagons can you tow behind a tractor?
- No legal maximum, **but** must keep them in your own lane and be able to stop them!

FARM EQUIPMENT WEIGHT

- Farm equipment is **exempt** from weight rules
[Part VIII; S114 (2)]

FARM EQUIPMENT WEIGHT

- American Society of Agricultural & Biological Engineers (ASABE) 2011 recommended standards for farm equipment brakes;
 - i. towed loads up to $1\frac{1}{2}$ times tractor weight – no brakes required on towed implements
 - ii. over $1\frac{1}{2}$ times – brakes recommended
 - iii. tow **nothing** over 4 times tractor weight

FARM EQUIPMENT WEIGHT



LOAD SECURITY

- No specific load security language/standards in HTA for farm equipment
- **HTA 111(2)**, “no portion of the load may become dislodged or fall, leak, spill or blow from the vehicle”
- Loads on a truck or towed by a truck (e.g. hay wagons) **must** be secured

IS THIS A SECURE LOAD?



SMV SIGNS

- **“shall be attached”** to a slow moving vehicle
- Slow moving vehicles are defined as;
 - i. Farm tractors and self-propelled implements of husbandry,
 - ii. Vehicles not capable of 40 kmph (25 MPH),
 - iii. Motor vehicles towing farm implements, &
 - iv. Road-building machines.

FENDT, JCB OR OTHER FAST TRACTORS?

- 76.(1) No person **shall** operate a slow moving vehicle on a highway unless a slow moving vehicle sign is attached
- 76.(2) The following **are** slow moving vehicles;
 - 1. farm tractors and self-propelled implements of husbandry
- 76. (6.1) No person **shall** operate a slow moving vehicles with a slow moving vehicle sign attached ... at a **speed greater than 40 kilometers/hour**

TOWING FARM IMPLEMENTS

- Pickups **may** legally tow farm implements
- Towed implements **do not** become “trailers” behind a pickup
- Farm tractors and SPIH may tow > 1
- Trucks may tow up to 2
- SMVs, lights, secondary attachments, and 40 kmph speed limit **apply**

THE ANSWER TO QUESTION 3 IS?

- **How many farm implements can you tow behind a pickup truck?**
- Maximum 2 behind a commercial motor vehicle, i.e. a truck

IS THIS LEGAL WITH A 'G' LICENSE?



DO I NEED A CLASS 'A' LICENSE?

Class A DL is required for any combination of a motor vehicle and towed **vehicle or vehicles**, where the towed vehicles exceed a total gross weight of 10,141 lbs. (4,600 kg)

- Includes **both** farm implements and trailers, *i.e.* livestock trailers, utility trailers, towed by a truck
- **AR** Driver's License: only 1 trailer & no air brakes
- **G**; maximum towed vehicle weight is 4,600 kg

TOWING WITH A 'G' LICENSE?

- Hay wagon with 11 round bales @ 600 lbs./bale
- $11 \times 600 \text{ lbs.} = 6,600 \text{ lbs.} + \text{wagon weight}$
- If bale wagon less than 3,541 lbs.; G DL legal

TOWING WITH A 'G' LICENSE?

- 6-cow livestock trailer?
- 6 cows @ 1,500 lbs. each = 9,000 lbs.
- **Empty** cattle trailer cannot exceed 1,141 lbs. to legally operate it fully loaded on a G license
(10,141 lbs. - 9,000 lbs. = 1,141 lbs.)
- Over 10,141 lbs.; A or AR license

THE ANSWER TO QUESTION 4 IS?

- **You have a G Driver's License. Can you legally tow a cattle trailer or bale wagon behind it?**
- **Yes**, if the gross weight of the cattle trailer, bale wagon, etc. is no more than 4,600 kg.
- **No**, if the gross weight exceeds 4,600 kg!

SECONDARY ATTACHMENTS

- “No ..., trailer or other object or device shall be drawn by a motor vehicle **or farm tractor** on a highway unless there are **two separate means of attachment** so constructed and attached that the failure of one such means will not permit the motor vehicle, trailer, object or device being drawn to become detached ...”

HTA section 80

2 Separate Means of Attachment

- Hitch = 1st means of attachment
- Safety chain, cable = 2nd means of attachment
- Single chain, cable, etc. is legal
- Chain **must be** capable of holding total weight being towed (wagon/implement + load)
- Multiple wagons; secondary attachment between each pair
- 3-point hitch fulfils 2 means of attachment

TURN SIGNALS (HTA section 142)

- **Must** signal intention to turn, slow down, stop
- Electrical, mechanical or hand signals
- Signals clearly visible from 100 ft. (30 m)
- Signals on/from towing vehicle blocked? **Must** use electrical or mechanical

SIDE MARKER LIGHTS (HTA S62)

- Whenever combined length > 20 ft. (6.1 m)
- **Includes** farm tractor & implement combinations
- Amber or green lights at the front
- Red lights at the rear
- Can use approved reflectors in place of lights

HEAD & TAIL LIGHTS (HTA S62)

- ½ hour **before** sunset to ½ hour **after** sunrise
- Or if persons and vehicles not clearly visible from 500 ft. (150 m)
- Lights clearly visible from 500 ft.
- **Minimum** 2 white on front; 1 red on rear
- Towed implements; **minimum** 1 red on rear
- Towed vehicles over 8½' wide: 2 red tail lights; close to left and right sides (includes towed implements)

OVER-DIMENSIONAL FARM EQUIPMENT (REG 603)

8½ ft. to 12 ½ ft. (2.6 m – 3.8 m) WIDE

DAYTIME: no additional requirements

NIGHTTIME: 2 flashing amber; front & rear

- Flashing amber lights – no more than 6” from outer edge of permanent structure

OVER-DIMENSIONAL FARM EQUIPMENT

12½ ft. to 15 ft. 9 in. (3.8 m – 4.8 m) WIDE

DAYTIME: 2 flashing amber; front & rear

NIGHTTIME: 2 flashing amber; front & rear +
rotating amber roof beacon or
escort vehicles

OVER-DIMENSIONAL FARM EQUIPMENT

Over 15 ft. 9 in. (4.8 m) WIDE

DAYTIME: 2 flashing amber; front & rear or
amber roof beacon

NIGHTTIME: 2 flashing amber; front & rear +
rotating amber roof beacon +
escort vehicles

- Escort vehicles must use 4-way flashers or amber roof beacon and be 200 ft. (60 m) ahead & behind

SELF-PROPELLED IMPLEMENTS

*“self-propelled vehicle manufactured, designed, **redesigned, converted or reconstructed** for a specific use in farming”* (HTA 1(1))

1. Purpose built; “**manufactured, designed**”; (combine, sprayer, etc.), or
2. Former truck, etc; **redesigned, converted or reconstructed** for a specific use in farming

Redesigned, Converted or Reconstructed?

- Vehicle undergone significant outward physical change to its **cargo-carrying** portion
- Changes readily apparent to observer
- Modifications lend themselves to a use in farming
- Specific use **does not** mean single use
- Welding tailgate shut; removing cab doors? **Not** modifications to cargo-carrying portion

SELF-PROPELLED IMPLEMENTS

- license plates **required** on SPIH unless;
- travelling from farm to farm or
- travelling to or from places necessary for the maintenance or repair of the vehicle
- HTA 7(2): Subsection 7(1)

Is THIS A SPIH?



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Is THIS A SPIH?



IS THIS A SPIH?



FARM ATV/ORV USE

- **Off-Road Vehicles Act & Regulation 863**
- **Highway Traffic Act s191.8 & Regulation 316/03**
- over 16: DL required (minimum M2/G2)
- under 16: not even across a highway
- S4; **“no owner of an off-road vehicle shall permit a child under the age of 12 to drive the vehicle”**
- unless under close adult supervision; or on land occupied by vehicle owner

FARM ATV/ORV USE

- Vehicles designed for “off-road” use;
- **NOT** golf carts, farm tractors, self-propelled implements of husbandry, road-building machines, wheelchairs
- 3 different vehicle types/forms
 - i. ATVs,
 - ii. Utility Vehicles, and
 - iii. ARGOS, off-road motorcycles, dune buggies

1. ATVs, 4-Wheelers, Quads, ...

- i. 4 wheels; wheels in contact with the ground,
- ii. Handle bar steering,
- iii. Straddled by the driver, and
- iv. Driver only; no passenger OR
- v. Driver + passenger if **originally** designed for 2 (*i.e.* “2-up” ATV)

2. “Multi-Purpose Off-Highway Utility Vehicle”

JD GATOR, Kubota RTV, Kawasaki Mule, etc.

- i. 4 or more wheels; wheels in direct contact with ground,
- ii. Steering wheel steering,
- iii. Bench seat, and
- iv. Minimum cargo capacity; 350 lbs. (159 kg.)

WHERE CAN YOU DRIVE THEM?

Off-Road Vehicles Act [S 2(2)(b)] permits ATVs, utility vehicles to be driven on the **travelled portion** of most roads by;

- i. “a farmer, for agricultural purposes”,
and
- ii. “a licensed trapper, for trapping purposes”

No one else!

6 MANDATORY REQUIREMENTS

1. Vehicle insured under an auto policy; driver carrying proof of insurance [auto policy provides automatic accident benefits],
2. Licensed driver; driver carrying DL,
3. Driver & passenger(s) wearing approved helmet,
4. Driver & passenger(s) wearing seatbelts, if equipped
5. Vehicle is registered (*i.e.* ORV plate), AND
6. SMV sign on the rear.

QUESTIONS?

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