

111TH CONGRESS
1ST SESSION

H. R. 3720

To direct the Secretary of Transportation to promulgate a rule to improve the daytime and nighttime visibility of agricultural equipment that may be operated on a public road.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2009

Mr. HARE (for himself, Mr. SCHOCK, Mr. BRALEY of Iowa, and Mr. BOSWELL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of Transportation to promulgate a rule to improve the daytime and nighttime visibility of agricultural equipment that may be operated on a public road.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. RULEMAKING ON VISIBILITY OF AGRICUL-**
4 **TURAL EQUIPMENT.**

5 (a) RULEMAKING.—Not later than 2 years after the
6 date of enactment of this Act, the Secretary of Transpor-
7 tation, after consultation with the American Society of Ag-
8 ricultural and Biological Engineers, other appropriate

1 Federal agencies and other appropriate persons, shall pro-
2 mulgate a rule to improve the daytime and nighttime visi-
3 bility of agricultural equipment that may be operated on
4 a public road. Such rule shall establish minimum lighting
5 and marking standards for applicable agricultural equip-
6 ment manufactured 1 year or more subsequent to the ef-
7 fective date of the rule. Such rule shall provide for meth-
8 ods, materials, specifications, or equipment employed,
9 equivalent to the standard set in ANSI/ASAE S279.14
10 published in July 2008 by the American Society of Agri-
11 culture and Biological Engineers and entitled “Lighting
12 and Marking of Agricultural Equipment on Highways”,
13 or any successor standard.

14 (b) REVIEW.—The Secretary shall periodically review
15 not less than once every 5 years the standards established
16 under this section and shall revise the standards to reflect
17 the provisions of the edition of ANSI/ASAE S279 that is
18 in effect at the time of the review.

19 (c) RULES OF CONSTRUCTION.—

20 (1) COMPLIANCE WITH SUCCESSOR STAND-
21 ARDS.—No provision of any rule promulgated pursu-
22 ant to this section shall prohibit the operation on
23 public roads of agricultural equipment that is
24 equipped according to any adopted edition of ANSI/
25 ASAE S279 that is later than the edition of such

1 standard that was referenced during the promulga-
2 tion of the rule.

3 (2) NO RETROFITTING REQUIRED.—No provi-
4 sion of any rule promulgated pursuant to this sec-
5 tion shall require the retrofitting of agricultural
6 equipment that was manufactured prior to 1 year
7 after the date on which a final rule is promulgated
8 pursuant to subsection (a).

9 (3) NO EFFECT ON ADDITIONAL MATERIALS
10 AND EQUIPMENT.—No provision of any rule promul-
11 gated pursuant to this section shall prohibit the op-
12 eration on public roads of agricultural equipment
13 that is equipped with materials or equipment that
14 are in addition to the minimum materials and equip-
15 ment specified by the standards promulgated under
16 this rule.

17 (d) DEFINITIONS.—As used in this Act—

18 (1) the term “agricultural equipment” means
19 “agricultural field equipment” as defined under the
20 standard ANSI/ASABE S390.4 published by the
21 American Society of Agriculture and Biological En-
22 gineers, or any successor standard; and

1 (2) the term “public road” has the meaning
2 given such term in section 101(27) of title 23,
3 United States Code.

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