

111TH CONGRESS
2^D SESSION

S. 4013

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 SENATE OF THE UNITED STATES

DECEMBER 7, 2010

Ms. KLOBUCHAR (for herself, Mr. THUNE, and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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.—

6 (1) IN GENERAL.—Not later than 2 years after
7 the date of the enactment of this Act, the Secretary
8 of Transportation, after consultation with represent-

1 atives of the American Society of Agricultural and
2 Biological Engineers and appropriate Federal agen-
3 cies, and with other appropriate persons, shall pro-
4 mulgate a rule to improve the daytime and nighttime
5 visibility of agricultural equipment that may be oper-
6 ated on a public road.

7 (2) MINIMUM STANDARDS.—The rule promul-
8 gated pursuant to this subsection shall—

9 (A) establish minimum lighting and mark-
10 ing standards for applicable agricultural equip-
11 ment manufactured at least 1 year after the
12 date on which such rule is promulgated; and

13 (B) shall provide for the methods, mate-
14 rials, specifications, and equipment to be em-
15 ployed to comply with such standards, which
16 shall be equivalent to ASABE Standard 279.14,
17 entitled “Lighting and Marking of Agricultural
18 Equipment on Highways”, and published in
19 July 2008 by the American Society of Agricul-
20 tural and Biological Engineers, or any successor
21 standard.

22 (b) REVIEW.—Not less frequently than once every 5
23 years, the Secretary of Transportation shall—

24 (1) review the standards established under sub-
25 section (a); and

1 (2) revise such standards to reflect the revision
2 of ASABE Standard 279 that is in effect at the
3 time of such review.

4 (c) LIMITATIONS.—

5 (1) COMPLIANCE WITH SUCCESSOR STAND-
6 ARDS.—Any rule promulgated pursuant to this sec-
7 tion may not prohibit the operation on public roads
8 of agricultural equipment that is equipped according
9 to any adopted revision of ASABE Standard 279
10 that is later than the revision of such standard that
11 was referenced during the promulgation of the rule.

12 (2) NO RETROFITTING REQUIRED.—Any rule
13 promulgated pursuant to this section may not re-
14 quire the retrofitting of agricultural equipment that
15 was manufactured before the date on which the
16 lighting and marking standards are enforceable
17 under subsection (a)(2)(A).

18 (3) NO EFFECT ON ADDITIONAL MATERIALS
19 AND EQUIPMENT.—Any rule promulgated pursuant
20 to this section may not prohibit the operation on
21 public roads of agricultural equipment that is
22 equipped with materials or equipment that are in
23 addition to the minimum materials and equipment
24 specified in the standard upon which such rule is
25 based.

1 (d) DEFINITIONS.—In this Act:

2 (1) AGRICULTURAL EQUIPMENT.—The term
3 “agricultural equipment” has the meaning given the
4 term “agricultural field equipment” in ASABE
5 Standard 390.4, entitled “Definitions and Classifica-
6 tions of Agricultural Field Equipment”, and pub-
7 lished in January 2005 by the American Society of
8 Agriculture and Biological Engineers, or any suc-
9 cessor standard.

10 (2) PUBLIC ROAD.—The term “public road”
11 has the meaning given such term in section
12 101(a)(27) of title 23, United States Code.

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