

A Summary of State Laws Regulating Youth Operating Farm Tractors on Highways

B. C. Doty, B. Marlenga

ABSTRACT. *Driving farm tractors on highways is hazardous for youth due to the large speed differential between motor vehicles and agricultural vehicles, as well as recent increases in traffic volume on many rural roads. In 1994, the state of Wisconsin enacted legislation requiring youth who operate farm tractors on highways to complete a tractor and machinery certification course. We were interested in finding out whether other states have similar requirements. The purpose of this project was to collect and summarize state laws regulating youth who operate farm tractors on highways in the U.S. A systematic method was used that included an initial Lexis-Nexis™ database search followed by internet searches in combination with follow-up email and telephone communications when missing or unclear results were obtained. The findings show that 14 states have legislation addressing youth who operate farm tractors on highways. The content of these statutes varies, but includes driver's license or educational requirements, as well as regulations concerning the ages, locations, and/or times of day when youth may drive farm machinery on highways. This compilation of state laws will be useful information for agricultural safety professionals in designing effective outreach programs. A synthesis of the findings may also lead to the development of model legislation or inform future research efforts aimed at preventing youth farm tractor crashes on highways.*

Keywords. *Farm tractors, Highways, State laws, Youth operators.*

Operating farm tractors on public highways is becoming increasingly hazardous for both youth and adults. The traffic volume on rural roadways is growing as more people move to the countryside and commute to nearby cities. Many roads have been improved to allow for greater usage and higher speeds, increasing the speed differential between slow-moving vehicles, such as farm tractors, and other motor vehicles (Lacy et al., 2001). Additionally, many farmers own or lease land that is not directly adjacent to their main farm land, meaning that tractor operators must spend more time on the roads (Cole et al., 2000).

In 2003, more than 7,000 farm tractor/equipment injury-related crashes occurred on roadways in the U.S., including 100 that involved fatalities (National Safety Council, 2004). There is no information available on the number of these crashes that involved youth tractor operators. One main contributing factor cited in two vehicle crashes

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The authors are **Brit C. Doty**, Research Specialist, and **Barbara Marlenga**, Research Scientist, National Children's Center for Rural and Agricultural Health and Safety, Marshfield Clinic Research Foundation, Marshfield, Wisconsin. **Corresponding author:** Barbara Marlenga, National Children's Center for Rural and Agricultural Health and Safety, Marshfield Clinic Research Foundation, 1000 North Oak Ave., Marshfield, WI 54449; phone: 715-389-3021; fax: 715-389-4996; e-mail: marlenga.barbara@mcrf.mfldclin.edu.

involving farm equipment is the unexpected presence of slow-moving farm vehicles on roadways (Gerberich et al., 1996).

In an effort to begin addressing the hazards facing youth operating farm tractors on highways, the state of Wisconsin passed Act 455 in 1994. This legislation prohibits youth 12 to 15 years of age from operating a farm tractor on a highway until they have successfully completed a tractor and machinery certification course (Wisconsin, 2003). Youth younger than 12 years of age are prohibited from driving a farm tractor on a public road. In searching for similar laws in other states, it became clear that this information was not readily available or widely known among agricultural health and safety professionals or researchers. The main objective of this project was to collect and summarize state laws regulating youth who operate farm tractors on highways in the U.S.

Methods

Definitions

For the purposes of this article, standard definitions cited in most states' statutes were used to describe several common terms. "Farm tractor" is defined as any motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry. "Highway" is defined as the width between the boundary lines of a publicly maintained way, any part of which is open to the public for travel.

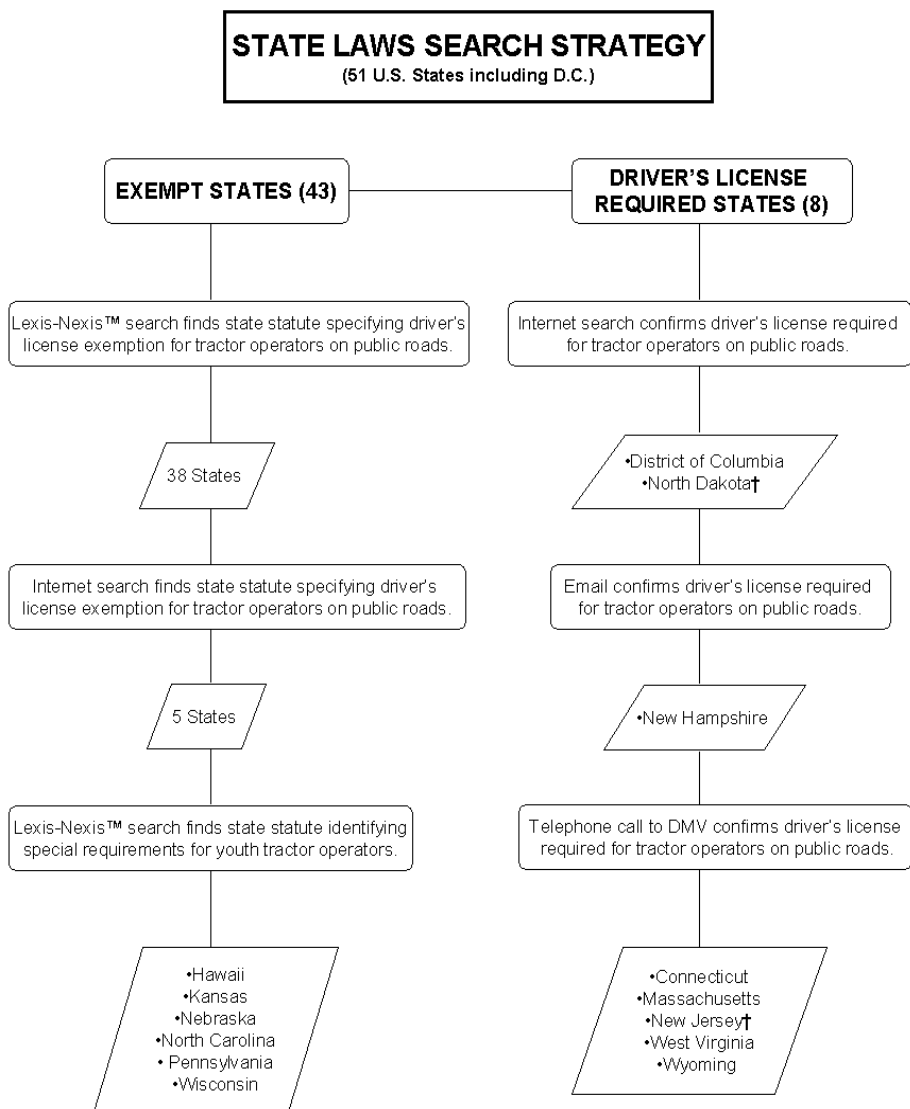
Search Strategy

A systematic search strategy (fig. 1) was used to obtain state statutes addressing driver's licensing and other requirements for youth and adults operating farm tractors on highways. A reference librarian at the Wisconsin State Law Library conducted a Lexis-Nexis™ law database search of state codes in other states, using the following search terms:

- Tractor /20 highway
- Tractor /10 highway /10 operate
- (Driving or operating) /25 farm
- License /10 exempt /25 tractor
- Permit /s farm /p age
- Drivers /25 license /25 exempt
- Farm /3 tractor
- "Restricted license" /25 farm
- Farm /20 tractor /50 license
- Age and license and "motor vehicle"
- Age /10 license
- Agricultural /s pursuits and highway.

The strategy also included searching for references to any licensing requirements for either youth or adults operating farm tractors or agricultural vehicles on highways. In cases where no results were found using the Lexis-Nexis™ search, the librarian posted requests for information on LawLib (a national list-serve of law librarians).

For the remaining states where no results or unclear results were obtained using the above methods, an on-line search of state statutes and department of motor vehicles (DMV) internet websites was conducted looking for relevant information regarding driver's licensing requirements or other requirements for farm tractor operators driving on highways. If these methods proved unsuccessful, a telephone call was made to the state DMV to obtain the information.



† States that require a driver's license and also have other special requirements for youth tractor operators.

Figure 1. Search strategy for state laws regulating the operation of farm tractors on highways.

Once the state law information was gathered, each statute was examined with respect to driver's license requirements for farm tractor operators driving on highways and was assigned to one of two categories based upon the findings. The categories were: (1) states that have an exemption for farm tractor operators (i.e., a state-issued motor vehicle driver's license is not required to operate a farm tractor on highways), and (2) states that do not have a driver's license exemption for farm tractor operators (i.e., a state-issued motor vehicle driver's license is required to operate a farm tractor on highways).

Additionally, each state’s laws were checked for any references to youth farm tractor operators regardless of whether or not the state required a driver’s license to operate farm tractors on highways.

Results

This information is not intended to be a legal interpretation of the statutes, but simply a summary of those state laws that include requirements for youth who operate farm tractors on highways. While the wording in many state statutes clearly indicated that either a driver’s license is or is not required in order to operate a farm tractor on a highway, six state statutes did not contain this unambiguous language. In these six states, the authors relied on officials at the DMV in each state to accurately interpret their statutes regulating youth who operate farm tractors on highways. Other researchers may receive slightly different responses if they speak to a different official at the DMV or if they contact the DMV at a different time.

State Driver’s License Requirements for Tractor Operators

Eight states including the District of Columbia require a state-issued motor vehicle driver’s license for any person operating a farm tractor on highways (fig. 2). The remaining 43 states have exemptions stating that a person does not need a driver’s license to operate a farm tractor or implement of husbandry temporarily on a highway in the course of conducting farm business. While New York state does not have a formal exemption written in its statutes, the state attorney general’s opinion from 1962 states that a driver’s license is not required for persons operating farm tractors on highways.

State Youth Tractor Operator Requirements

Fourteen states have some type of restriction for youth operating farm tractors on highways (table 1). Six of these states require a driver’s license in order to operate farm



Figure 2. States that require a driver’s license to operate farm tractors on highways.

Table 1. States with laws regulating youth farm tractor operators on highways.

State	Driver's License	Youth Permit	Educational or Testing Requirement	Age Requirement	Location Conditions	Time of Day Conditions
Connecticut	x		x	x		
District of Columbia	x		x	x		
Massachusetts	x		x	x		
New Hampshire	x		x	x		
West Virginia	x		x	x		
Wyoming	x		x	x		
Nebraska		x	x	x		
New Jersey		x	x	x		
North Dakota		x	x	x	x	
Wisconsin		x	x	x	x	
Hawaii				x		
Kansas						x
North Carolina				x	x	
Pennsylvania				x	x	

tractors on highways regardless of the driver's age (Connecticut, 2003; District of Columbia, 2001; Massachusetts, 2004; New Hampshire, 2004; West Virginia, 2004; Wyoming, 2003). The remaining eight states have legislation that includes specific provisions regarding youth driving farm tractors or other agricultural equipment on highways. The exact requirements vary by state, but include age, location, or time of day restrictions, as well as educational components. The following two sections detail the provisions of the states' statutes that (1) require a driver's license of those operating farm tractors on highways, but have exceptions for youth, and (2) do not require a driver's license, but have restrictions for youth operating farm tractors on highways.

States that Require a Driver's License but Have Exceptions for Youth

Two states do not have a driver's license exemption for those who operate farm tractors on highways. Although these states require tractor operators to have a driver's license, their legislation includes specific exceptions or special requirements for youth farm tractor operators:

New Jersey – Youth between 16 and 17 years old in New Jersey who do not hold a driver's license must apply for an agricultural license to operate motor vehicles in agricultural pursuits, including farm tractors, on a highway. The young person must pass the vision, written, and road tests in order to qualify for the license (New Jersey, 2004).

North Dakota – North Dakota youth who are 14 or 15 years old must apply for a restricted license to operate farm motor vehicles, including tractors, on a highway. The young person must present a driver's education completion certificate and pass the vision, written, and road tests. The law restricts youth to only operating within 150 miles of the farm tractor owner's farm (North Dakota, 2003).

States that Do Not Require a Driver's License but Have Restrictions for Youth

Six states have a driver's license exemption for those who operate farm tractors on highways. Although these states do not require a driver's license, their legislation includes special restrictions for youth who operate farm tractors on highways:

Hawaii – Hawaii state law requires that individuals who operate farm tractors on highways be at least 13 years of age (Hawaii, 2003).

Kansas – Youth in Kansas may only operate farm machinery on highways during the hours between sunrise and sunset (Kansas, 2003).

Nebraska – In Nebraska, youth must obtain a farm husbandry permit to operate farm tractors and other motorized implements of husbandry on the highway. There are two types of permits. A *temporary* farm husbandry permit can be obtained for any person under the age of 16 years, but at least 13 years, with a signed request from a parent or guardian. The temporary permit is valid for a six-month period and is nonrenewable. A *special* farm husbandry permit can be obtained by youth who are at least 13 years old and reside on a farm or those who are 14 or 15 years old and work for compensation on a farm. They must pass a vision, written, and driving test. The special permit expires when the youth turns 16 years old.

North Carolina – Youth in North Carolina who are 14 years old or younger may only operate farm tractors on highways that are adjacent to or running in front of their farmland (North Carolina, 2004).

Pennsylvania – Pennsylvania law requires that a person operating a farm tractor on a highway be at least 14 years of age. Youth who are 14 or 15 years old may only operate farm tractors on one- or two-lane highways that bisect or immediately adjoin their farm property (Pennsylvania, 2003).

Wisconsin – In Wisconsin, children under 12 years are prohibited from driving farm tractors on highways. Youth between 12 and 15 years of age must obtain a certificate to operate farm machinery on highways. The young person must successfully complete a 24-hour tractor and machinery course in order to qualify for the certificate. This statute does not apply to the operation of farm machinery on the highway on a course that is perpendicular to the direction of the highway (Wisconsin, 2003).

Summary

The majority of U.S. states (43) do not require those operating farm tractors on highways to have a state-issued motor vehicle driver's license. Fourteen states, including eight that require a vehicle driver's license to operate tractors on highways and six among those that do not, have specific regulations addressing youth farm tractor operators. These policies include restrictions concerning the ages, locations, and/or times of day when youth may operate tractors on highways. Four of these states require youth tractor operators to obtain a special agricultural permit, license, or certification.

This article outlines state law provisions regulating youth who operate farm tractors on highways. Agricultural safety professionals can use this information to develop and target outreach programming aimed at preventing highway tractor crashes. These findings, however, do not indicate whether one statute has been more successful than another in preventing youth tractor highway crashes. Future research should focus on evaluating the effectiveness of different states' legislation in reducing the number of youth tractor crashes occurring on highways. In particular, it will be important to examine whether requiring driver's license training or similar educational strategies are effective methods for preparing youth to operate farm tractors on highways. The degree to which these laws are enforced by the state and accepted within the agricultural community are two other essential factors that should be addressed. The fact that these crashes take place on *public* highways suggests that *public* policy may be an appropriate and effective prevention strategy.

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References

- Cole, H. P., C. J. Lehtola, S. R. Thomas, and M. Hadley M. 2000. Facts about tractor/motor vehicle collisions. Gainesville, Fla.: University of Florida, Department of Biological and Agricultural Engineering . Available at: <http://www.cdc.gov/nasd/docs/d000901-d001000/d000997/TMVC.doc>.
- Connecticut. 2003. Connecticut State Statutes, §246-14-36. Available at: <http://www.cga.ct.gov/2005/pub/Chap246.htm#Sec14-36.htm>. Accessed 8 February 2005.
- District of Columbia . 2001. District of Columbia Code, §50-1401.01. Available at: <http://dcode.westgroup.com/toc/default.wl?RLT=CLID%5FTOCRLT21542&oFindType=V&oDocName=DC&oDB=DC%2DST%2DWEB%3BSTADC&DocName=DC010483611&FindType=X&DB=DC-TOC-WEB%3BSTADCTOC&RS=WLW2%2E07&VR=2%2E0>. Accessed 8 February 2005.
- Gerberich, S. G., L. S. Robertson, R. W. Gibson, and C. Renier. 1996. An epidemiological study of roadway fatalities related to farm vehicles: United States, 1988 to 1993. *J. Occup. Environ. Med.* 38(11): 1135-1140.
- Hawaii. 2003. Hawaii Revised Statutes, §286-105. Available at: http://www.capitol.hawaii.gov/hrscurrent/Vol05_Ch0261-0319/HRS0286/HRS_0286-0105.htm. Accessed 8 February 2005.
- Kansas. 2003. Kansas State Statutes, §8-296. Available at: <http://www.kslegislature.org/legsrv-statutes/getStatuteInfo.do;jsessionid=47288DEC14419C46C912D2B2D05F8D29.js> 5. Accessed 7 February 2005.
- Lacy, J. K., W. W. Hunter, and H. F. Huang, H. 2001. A study of farm vehicle crashes in North Carolina. Chapel Hill, N.C.: University of North Carolina Highway Safety Research Center. Available at: <http://www.hsrb.unc.edu/pdf/2001/farmcrash.pdf>. Accessed 6 December 2004.
- Massachusetts. 2004. General Laws of Massachusetts, §90-10. Available at: <http://www.mass.gov/legis/laws/mgl/90-10.htm>. Accessed 8 February 2005.
- National Safety Council. 2004. Injury Facts. Available at: http://courses.washington.edu/envh311/Readings/Reading_04.pdf. Accessed 7 February 2005.
- Nebraska. 2003. Nebraska State Statutes, §60-484. Available at: <http://statutes.unicam.state.ne.us/qfullhit.htm?CiWebHitsFile=/Corpus/statutes/chap60/R6004084.html&CiRestriction=%28&CONTENTS%20%28%2260-484%22%29%29&CiHilitType=FULL&CiUserParam1=Section%2060-484&CiUserParam2=Operator%27s%20license%20required%2>. Accessed 8 February 2005.
- New Hampshire. 2004. New Hampshire General Court, §263.1. Available at: <http://www.gencourt.state.nh.us/rsa/html/xxi/263/263-1.htm>. Accessed 8 February 2005.
- New Jersey. 2004. New Jersey Permanent Statutes, §39:3-11.1. Available at: http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=77254991&Depth=2&depth=2&expandheadings=on&headingswithhits=on&hitsperheading=on&infobase=statutes.nfo&record={D794}&softpage=Doc_Frame_PG42. Accessed 7 February 2005.
- North Carolina . 2004. North Carolina General Statutes, §20-10. Available at: http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/BySection/Chapter_20/GS_20-10.html. Accessed 7 February 2005.
- North Dakota. 2003. North Dakota Century Code, §39-06-17. Available at: <http://www.state.nd.us/lr/cencode/t39c06.pdf>. Accessed 7 February 2005.

- Pennsylvania. 2003. Pennsylvania Consolidated Statutes, §75-1502. Available at:
<http://members.aol.com/StatutesPA/75PA1502.html>. Accessed 7 February 2005.
- West Virginia. 2004. West Virginia Code, §17B-2-1. Available at:
<http://www.legis.state.wv.us/WVCODE/masterfirm3Banner.cfm>. Accessed 8 February 2005.
- Wisconsin. 2003. Wisconsin State Statutes, §346.925. Available at:
http://folio.legis.state.wi.us/cgi-bin/om_isapi.dll?clientID=75322&infobase=stats.nfo&j1=346.925&jump=346.925&softpage=Browse_Frame_Pg. Accessed 7 February 2005.
- Wyoming. 2003. Wyoming State Statutes, §31-7-106. Available at:
<http://legisweb.state.wy.us/statutes/titles/title31/chapter07.htm>. Accessed 8 February 2005.