

WAC 468-38-290 Farm implements. (1) **For purposes of issuing special farm implement permits and certain permit exemptions, what is considered a farm implement?** A farm implement includes any device that directly affects the production of agricultural products, including fertilizer and chemical applicator apparatus (complete with auxiliary equipment). For purposes of this section, the implement must be nondivisible, weigh less than sixty-five thousand pounds, and comply with the requirements of RCW 46.44.091. The implement must be less than twenty feet in width and not exceed sixteen feet in height. However, for purposes of this section, farm implements must not exceed fourteen feet in height in the counties of Whatcom, Skagit, Island, Snohomish, and King. If the implement is self-propelled, it must not exceed forty feet in length, or seventy feet overall length if being towed. The implement must move on pneumatic tires, or solid rubber tracks that will not damage public highways with parts that extend beyond the tracks. Implements exceeding any of these criteria must meet all requirements for special permits as referenced in other sections in this chapter and chapter 46.44 RCW.

(2) **What dimensional criteria requires a special permit to move extra-legal farm implements?** Self-propelled farm implements, including a farm tractor pulling no more than two implements, that exceed fourteen feet in height or sixteen feet in width, but less than twenty feet in width, are required to get a special permit for movement of farm implements on state highways. Note: A tow vehicle capable of carrying a load (i.e., a truck of any kind) may not tow more than one trailing implement.

(3) **Will the opportunity to purchase a special permit to move oversize farm implements be affected if the implement(s) is carried on another vehicle?** The opportunity to purchase a special permit for farm implements as defined in subsection (1) of this section will not be affected unless one of the following circumstances occurs:

(a) The authorized users of the permit outlined in subsection (5) of this section use a commercial for-hire service to move the implement(s); or

(b) The loaded farm implement creates a combined height that exceeds sixteen feet; or

(c) The loaded farm implement causes the hauling vehicle to exceed legal weight limits. The farm implement weight may exceed sixty-five thousand pounds when carried on another vehicle; however, the combined gross weight of the hauling unit carrying the implement may not exceed the legal weight limits established in RCW 46.44.041 Maximum gross weights—Wheelbase and axle factors.

If any of these circumstances occur, the provisions of this subsection will not apply to the movement of the farm implement. The movement will be required to comply with the requirements for special permits as provided in chapter 46.44 RCW and in other sections in this chapter.

(4) **How does the special permit farm implement application process differ from the special permit process outlined in WAC 468-38-050?** Due to the size of the implement and the potential for use in multiple jurisdictions, the written application must be submitted to the department's Olympia office for approval. Permits can be requested for three-month periods up to one year. Once approved, a special permit may be generated from the Olympia office by facsimile or a letter of authorization will be sent authorizing the applicant to acquire a special permit at the nearest permit sales location. If the movement of

the farm implement(s) is confined to a single department maintenance area, the applicant may make direct written application to that maintenance area office in lieu of the Olympia office.

(5) **Who is authorized to purchase a farm implement special permit?** The purchase and use of a special permit to move farm implements is restricted to a farmer, or anyone engaged in the business of selling, repairing and/or maintaining farm implements.

(6) **Will the special permit restrict the movement to a specific area?** The special permit to move farm implements is generally restricted to six contiguous counties or less. With proper justification, the area can be expanded. Farm implements may only travel on highway structures that are designed to support the weight of the farm implement.

(7) **Is department notification required before moving implement(s)?** Affected department maintenance areas must be notified at least eight (8) hours in advance of implement(s) movements in excess of sixteen feet wide. Movements of implements that exceed the legal weight limit established in RCW 46.44.041 must contact all affected department maintenance areas at least eight hours in advance for weight restriction information. The notification is for the purpose of ensuring that there will not be any planned activity or weight restrictions that would restrict the move. Locations of department maintenance area offices and phone listings are provided with each letter authorizing the purchase of the farm implement special permit.

(8) **What safety precautions must be taken when moving extra-legal farm implement(s)?** The movement of extra-legal farm implements must comply with the safety requirements following:

(a) **Oversize load signs:** If the farm implement exceeds ten feet in width or exceeds fourteen feet in height from the road surface, it must display an "OVERSIZE LOAD" sign(s) visible to both oncoming traffic and overtaking traffic. Signs must comply with the requirements of WAC 468-38-155(7). If the implement is both preceded and followed by pilot/escort vehicles, a sign is not required on the implement itself.

(b) **Curfew/commuter hours:** Movement of a farm implement in excess of ten feet wide or fourteen feet in height must comply with any published curfew or commuter hour restrictions, which are an attachment to the farm implement special permit.

(c) **Red flags:** If the farm implement is moving during daylight hours, and exceeds ten feet in width, the vehicle configuration must display clean, bright red flags. The red flags must measure at least eighteen inches square and be able to wave freely. The red flags are to be positioned at all four corners, or extremities, of the overwidth implement and at the extreme ends of all protrusions, projections or overhangs. If a transported implement overhangs the rear of a transporting vehicle or vehicle combination by more than four feet, one red flag is required at the extreme rear. If the width of the rear overhang or protrusion exceeds two feet, two red flags must be positioned at the rear to show the maximum width of the overhang or protrusion.

(d) **Warning lights and slow moving emblem:** Lamps and other lighting must be in compliance with RCW 46.37.160. In addition to lighting requirements, RCW 46.37.160 requires the use of a "slow moving emblem" for moves traveling at twenty-five miles per hour or less.

(e) **Convoys:** Convoys, the simultaneous movement of two or more individually transported implements, are authorized when the criteria are met following:

(i) A minimum of five hundred feet is maintained between vehicles to allow the traveling public to safely pass;

(ii) If five or more vehicles are lined up behind any one of the convoy implements, the operator must pull off the road at the nearest point wide enough to accommodate the implement(s) and to allow the vehicles to safely pass; and

(iii) The convoy is preceded and followed with properly equipped pilot/escort vehicles.

(9) **Are there any unique requirements or exemptions regarding the use of farm implement(s) pilot/escort vehicles?** Pilot/escort vehicles must comply with the requirements of WAC 468-38-100, except for the specific exemptions related only to special permits for moving farm implement(s) following:

(a) A farmer, farm implement dealer, or agri-chemical dealer (including employees of each) is exempt from WAC 468-38-100(4) regarding operator certification, WAC 468-38-100 (8)(a) and (b) regarding pilot/escort vehicle physical description, WAC 468-38-100 (10)(f) regarding use of height measuring device when the implement does not exceed fifteen feet in height measured from the road surface, and WAC 468-38-100(11) regarding passengers, when moving a farm implement off the interstate and to the interstate segments following:

(i) I-90 between Exit 109 (Ellensburg) and Exit 270 (Four Lakes);

(ii) I-82 between Junction with I-90 (Ellensburg) and Exit 31 (Yakima);

(iii) I-82 between Exit 37 (Union Gap) and Washington/Oregon border;

(iv) I-182 between Junction with I-82 (West Richland) and Junction with SR-395; or

(v) I-5 between Exit 208 (Arlington) and Exit 250 (south of Bellingham).

(b) On two lane highways, one pilot/escort vehicle must precede and one must follow the implement(s) when the width exceeds twelve feet six inches. Implements up to twelve feet six inches wide are exempt from using pilot/escort vehicles.

(c) On all highways, one pilot/escort vehicle equipped with a height measuring device in compliance with WAC 468-38-100 (10)(f) and (14) must precede the farm implement when the height of the farm implement exceeds fifteen feet measured from the road surface. Movements within a sixty mile radius from the place where the implement(s) is principally used or garaged are exempt from this requirement.

(d) A flag person(s) may be used in lieu of a pilot/escort vehicle for moves under five hundred yards. This allowance must be stated on any farm implement special permit that may be required for the move.

(e) Posting a route may also be used in lieu of a pilot/escort vehicle(s) when the route is less than two miles. Signs must state, "OVERSIZE VEHICLE MOVING AHEAD" on a background square at least three feet on each side (in diamond configuration), with black lettering on orange background. The signs must be placed at points before the oversize implement enters or leaves the highway, and at access points along the way. Signs must be immediately removed after the move has been completed.

[Statutory Authority: RCW 46.44.140. WSR 11-13-074, § 468-38-290, filed 6/15/11, effective 7/16/11. Statutory Authority: RCW 46.44.090 and 46.44.0915. WSR 08-13-042, § 468-38-290, filed 6/12/08, effective 6/12/08. Statutory Authority: RCW 46.44.090. WSR 06-07-025, § 468-38-290, filed 3/7/06, effective 4/7/06; WSR 05-04-053, § 468-38-290, filed 1/28/05, effective 2/28/05; WSR 00-17-060, §

468-38-290, filed 8/9/00, effective 9/9/00; WSR 00-11-038 (Order 199), § 468-38-290, filed 5/10/00, effective 6/10/00; WSR 99-18-019 (Order 192), § 468-38-290, filed 8/23/99, effective 9/23/99; WSR 85-11-062 (Order 46, Resolution No. 243), § 468-38-290, filed 5/20/85; WSR 83-16-018 (Order 39, Resolution No. 195), § 468-38-290, filed 7/25/83; WSR 82-18-010 (Order 31, Resolution No. 156), § 468-38-290, filed 8/20/82. Formerly WAC 468-38-460. Statutory Authority: 1977 ex.s. c 151. WSR 79-01-033 (DOT Order 10 and Comm. Order 1, Resolution No. 13), § 468-38-290, filed 12/20/78. Formerly WAC 252-24-342.]