



Hazard alert

Transporting workers on agricultural vehicles and farm equipment over public roadways

Motor vehicle crashes are the leading cause of worker fatalities in the United States. Agricultural workers are exposed to hazards caused by other road users when driving or riding on agricultural vehicles over Oregon's roadways. Incidents can occur when slow-moving farm vehicles and equipment take other drivers by surprise, when visibility is poor (especially when it is dark), or because of distracted driving. The results of these incidents can be costly and deadly.

An "agricultural vehicle" is a vehicle specifically designed for use exclusively in agricultural operations, and not licensed for use on public roads under Oregon laws. Agricultural vehicles such as farm tractors, planters, harvesters, and other specialized crop-handling vehicles may be operated by a single operator or may accommodate a crew of passengers.



The above berry harvester is the one involved in the fatal incident.

An employee was fatally injured when the agricultural vehicle he was riding on was struck by a semi truck and trailer as it traveled along a rural state highway late at night.

On the evening of July 20, 2017, a crew of three employees were working on a side-row harvester in a blackberry field just outside of the city limits in a rural area. The side-row harvester was an agricultural vehicle designed to be driven through rows of berry vines. One employee (the operator) steered the harvester through the field while two other employees sorted and stacked flats filled by the berries as they are harvested from a work platform behind the operator's station. The crew worked at night because the cooler temperatures make the berries firm and come off the vine easier, resulting in less damage to the product.

Just before 12 a.m., the crew had harvested a full load. The operator drove the harvester onto a public road to get to the yard where the full flats would be offloaded onto a truck, while the other two employees continued to sort the last of the berries from the work platform. The harvester was often driven over public roads to the yard when there was not useable access from the field, and had a top speed of 5 mph, but traveled much slower when fully loaded. The harvester was equipped with bright workstation lights, two headlights, flashing amber lights on the front, flashing red lights in back, and an orange reflective slow-moving vehicle emblem mounted at the rear.

The operator turned the harvester onto a state highway and drove along the shoulder toward the entrance to the yard about 500 feet ahead. Even though the operator



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kept to the shoulder as much as possible, the left side of harvester was partially in the roadway. The harvester had traveled slowly for about 200 feet when it was struck from behind by a semi truck and trailer traveling in the same direction at a high rate of speed. One employee riding on the work platform was struck by the semi and was fatally injured. The operator and other employee were thrown into the nearby ditch and sustained serious injuries.

What are the requirements when driving agricultural vehicles and transporting workers over public roadways?

Oregon law requires slow-moving vehicles and farm equipment that normally travel less than 25 mph to display a reflective red and orange “slow-moving vehicle” emblem on the rear of the unit when using public roads.

Although operators of agricultural vehicles are not required to possess a valid driver license, operators must obey all Oregon traffic laws, lights, and signs, and must use safe driving practices to protect themselves and other road users. The Oregon Vehicle Code book can be found at: <https://www.oregon.gov/ODOT/DMV/pages/form/vehiclecodebk.aspx>

OAR 437-004-3410 Agricultural, Commercial and Industrial Vehicles in Oregon OSHA’s Division 4, Agriculture standard contains rules employers must follow when transporting workers and when agricultural vehicles are operated on public roads. Those requirements can be found at: <https://osha.oregon.gov/OSHArules/div4/div4U.pdf>

The Federal Migrant & Seasonal Agricultural Worker Protection Act also contains requirements related to the transportation of agricultural workers. Those requirements can be found at: https://www.dol.gov/agencies/whd/laws-and-regulations/laws/mspa#title_4

Additional considerations and best practices

Agricultural employers need to thoroughly assess how workers and equipment will travel from one location to another. Here are some additional considerations and best practice solutions that should be taken into account

when workers operate or ride on agricultural vehicles and equipment over public roadways:

- Time of day – Visibility may vary between different times at dawn, daylight, dusk, and night. Consider other environmental factors such as fog or smoke from wildfires and controlled burns.
- Evaluate the need for workers to ride on agricultural vehicles and equipment when driving over public roads. Consider other methods of travel between locations for workers who are not operating the equipment.
- Plan safe travel routes that consider roadway terrain and other road users’ field of vision, such as blind corners and hills, that minimize or eliminate exposure to heavy traffic areas.
- When traveling during hours of darkness, turn off rear spotlights and workstation lights that could be mistaken for headlights.
- When travel over roadways must be done during hours of darkness, consider installing additional lighting and mirrors on older machinery to improve visibility. Use running lights, reflective tape, or reflectors to mark the overall width of the equipment, and ensure these marks are visible from the front, sides, and rear.
- Turn off, and do not operate, image display devices and viewing screens while traveling. Ensure all lights, markings, accessories, and safeguards on agricultural vehicles are maintained in a safe operating condition.
- When traveling long distances, use pilot cars positioned in front and back.



Hazard alerts provide information on hazardous materials, equipment, or practices. For more information contact the Oregon OSHA Standard and Technical Resources Section at 503-378-3272 or 800-922-2689 (toll-free), or visit our website at osha.oregon.gov.