



OPERATING AGRICULTURAL IMPLEMENT OF HUSBANDRY VEHICLES WITHOUT A SLOW- MOVING VEHICLE EMBLEM CAN GET FARMERS IN TROUBLE, FAST

By Steven C. Clark

Over my last 25 years, as a lawyer practicing in the Central Valley of California, I have defended many farming operations and their employees, for accidents which involved tractors, trailers, or other moveable equipment referred to in Vehicle Code section 36000 as an “implement of husbandry.” These vehicles and equipment are typically designed and maintained to be operated at speeds of 25 miles per hour or less, and because of this fact, they have to be equipped with a “slow-moving vehicle emblem”, which is often referred to as a “reflective triangle.” In past cases, liability against my clients sometimes hinged on the proper installation and display of a slow-moving vehicle emblem. This article will discuss the proper placement of the reflective triangle.

This emblem is required to be mounted on the rear of the vehicle, and if the vehicle is towing a trailer or other piece of farm equipment, on the towed trailer or piece of equipment. Specifics relating to the triangle design, size and installation are discussed in California Vehicle Code section 24615. Since agricultural equipment is often being operated on roadways that have speed limits of 55 miles per hour or more, the slow-moving vehicle emblem can, and is intended to, serve as a warning to approaching drivers that the implement of husbandry is travelling slowly and can help to prevent rear-end collisions.

It has been my experience that often the driver of a vehicle that rear-ended another vehicle will have some or all the responsibility for an accident. However, that can change when the implement of husbandry did not have the required slow-moving vehicle emblem. This violation of law can be pointed to as “a cause” or “the cause” of the accident. Further, in at least one accident I defended, an argument was made that the slow-moving vehicle emblem (reflective triangle) was old, sun-faded and was not so “reflective” anymore. Therefore, implement of husbandry owners should make sure they have up-to-date slow-moving vehicle emblems and that they are installed properly. The cost and effort may prove much cheaper than the alternative.

If you have any questions concerning the requirements for a “slow moving vehicle emblem” on your tractors, equipment, or other “implements of husbandry,” or questions about agricultural or business litigation, call Mr. Clark at sclark@ch-law.com.

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