



Virginia
Regulatory
Town Hall

Final Regulation Agency Background Document

Agency Name:	Department of State Police
VAC Chapter Number:	19 VAC 30-160
Regulation Title:	Standards and Specifications for Safety Lights for Farm Tractors in Excess of 108 Inches in Width
Action Title:	Updating the standards and specifications for safety lights for farm tractors in excess of 108 inches in width by making it more consistent with the Society of Engineers (SAE) standards.
Date:	02/22/01

Please refer to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99) , and the *Virginia Register Form, Style and Procedure Manual* for more information and other materials required to be submitted in the final regulatory action package.

Summary

Please provide a brief summary of the new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment; instead give a summary of the regulatory action. If applicable, generally describe the existing regulation. Do not restate the regulation or the purpose and intent of the regulation in the summary. Rather, alert the reader to all substantive matters or changes contained in the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. Please briefly and generally summarize any substantive changes made since the proposed action was published.

The proposed amendments to 19 VAC 30-160, Standards and Specifications for Safety Lights for Farm Tractors in Excess of 108 Inches in Width, are revised in order to make the regulation consistent with the Society of Automotive Engineers (SAE) Standards J575 and J974, upon which the standards and specifications are based. Minor technical and administrative changes are included. Proposed changes will have no impact on currently approved lighting equipment, as basic approval standards are not being changed. The amendment is expanded to add language consistent with Section 46.2-1005 of the Code of Virginia, adds the definition of farm tractor and highway, and revises wording to be consistent with Society of Engineers standards. Information concerning approval of the lighting equipment has been more fully explained and made more

accessible to the public. Other changes are made in accordance with the Virginia Register Form, Style and Procedure Manual. Individual changes are explained in the Detail of Changes section of this report. There have been no apparent enforcement problems related to this lighting requirement, and the proposed changes will have no impact on enforcement by State Police.

There have been no substantive changes to this proposed amendment since the proposed action was published.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

The final action taken by the Department of State Police was completion of the Proposed Regulation stage. The Proposed Regulation was printed in the Virginia Register, Volume 17, Issue 4, on November 6, 2000. No public comments were received. The current action is the Final Regulation stage for this amendment. The title of the regulation is **Standards and Specifications for Safety Lights for Farm Tractors in Excess of 108 Inches in Width.**

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority, shall be provided. If the final text differs from that of the proposed, please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the final regulation and that it comports with applicable state and/or federal law.

Virginia regulation 19 VAC 30-160 was adopted to establish standards and specifications for safety lights for farm tractors in excess of 108 inches in width. The proposed changes to this regulation are intended to:

1. Provide the proper referenced sections of the Society of Automotive Engineers (SAE) Standards J575 and J974.
2. Correct spelling or other non-substantive errors.
3. Clarify the existing regulation.
4. Make the existing regulation consistent with the Society of Automotive Engineers (SAE) Standards J575 and J974.

The Office of the Attorney General has certified that the agency has the statutory authority to promulgate the proposed regulation in accordance with § 46.2-1005 of the Code of Virginia and the revisions comport with applicable state and/or federal laws.

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the final regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

The statutory responsibility for establishing standards and specifications for safety lights for farm tractors in excess of 108 inches in width required by § 46.2-1102 of the Code of Virginia rests with the Superintendent of the Department of State Police. To fulfill this responsibility, regulation 19 VAC 30-160 was established. This regulation is based upon the Society of Automotive Engineers (SAE) Standards J575 and J974.

Section 46.2-1102 of the Code of Virginia reads as follows:

§ 46.2-1102. Size limitations inapplicable to farm machinery, agricultural multipurpose drying units, and fire-fighting equipment. -- The vehicle size limitations contained in Articles 14 through 17 (§ 46.2-1101 et seq.) of this chapter shall not apply to any farm machinery or agricultural multipurpose drying unit when such farm machinery or agricultural multipurpose drying unit is temporarily propelled, hauled, transported, or moved on the highway by a farm machinery distributor or dealer, fertilizer distributor, or farmer in the ordinary course of business. Nor shall those limitations apply to fire-fighting equipment of any county, city, town, or fire-fighting company or association. Any farm tractor or agricultural multipurpose drying unit wider than 108 inches, however, which is so propelled, hauled, transported, or moved on the highway shall be equipped with a safety light of a type approved by the Superintendent of State Police. The light shall be plainly visible from the rear of the tractor or agricultural multipurpose drying unit. (Code 1950, § 46-326; 1950, p. 982; 1952, c. 403; 1956, c. 483; 1958, c. 541, § 46.1-332; 1962, c. 197; 1973, c. 183; 1974, c. 361; 1989, c. 727; 1993, c. 151.)

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement of the regulatory action's detail.

These changes make the existing regulation consistent with SAE Standards J575 and J974, provide the proper referenced sections of SAE Standards J575 and J974, correct spelling or other non-substantive errors, or simply clarify the existing regulation.

This regulation is essential to ensure the safety of the motoring public and reduce the risk of death or injury to citizens using our highways. Only those safety lights required by § 46.2-1102 of the Code of Virginia, and which meet or exceed the standards set forth in Virginia regulation 19 VAC 30-160 are approved for sale and/or use.

Issues

Please provide a statement identifying the issues associated with the final regulatory action. The term "issues" means: 1) the advantages and disadvantages to the public of implementing the new provisions; 2) the advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

The statutory responsibility for establishing standards and specifications for safety lights for farm tractors in excess of 108 inches in width required by § 46.2-1102 of the Code of Virginia rests with the Superintendent of the Department of State Police. To fulfill this responsibility, regulation 19 VAC 30-160 was established. A recent review of this regulation revealed the need to make several changes to the existing regulation to make it consistent with the Society of Automotive Engineers (SAE) Standards J575 and J974 upon which this regulation is based. There are no disadvantages to the public or the Commonwealth of Virginia.

Statement of Changes Made Since the Proposed Stage

Please highlight any changes, other than strictly editorial changes, made to the text of the proposed regulation since its publication.

No changes have been made since the proposed stage.

Public Comment

Please summarize all public comment received during the public comment period and provide the agency response. If no public comment was received, please include a statement indicating that fact.

No public comments were received.

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or crosswalk - of changes implemented by the proposed regulatory action. Include citations to the specific sections of an existing regulation being amended and explain the consequences of the changes.

A new heading is created and added to the top of each page to comply with the guidelines in the Virginia Register Form, Style and Procedure Manual.

Page 1 - the definition section is set out as the first section of this regulation in accordance with the Virginia Register Form, Style and Procedure Manual.

Page 1 - adds language required by the Virginia Register Form, Style and Procedure Manual concerning words and terms.

Page 1 - adds language consistent with § 46.2-1005 of the Code of Virginia

Page 1 - adds a definition of a "farm tractor".

Page 1 - adds a definition of a "highway".

Page 1 - is revised in accordance with the Virginia Register Form, Style and Procedure Manual, which requires the "definition" section to be listed as the first section of a regulation, the "purpose" section has been renumbered as 19 VAC 30-160-20.

Page 1 - 19 VAC 30-160-30 is reworded by making the section heading consistent with the wording used in the Society of Automotive Engineers (SAE) Standard J974 (Flashing Warning Light for Agricultural Equipment.)

Page 2 - 19 VAC 30-160-40 section heading has been reworded by making the section heading consistent with the wording used in the Society of Automotive Engineers (SAE) Standard J575.

Page 2 - 19 VAC 30-160-40, Section B through Section L is revised by deleting an inaccurately referenced section.

Page 2 - 19 VAC 30-160-40 is revised by addition of Section 3.1 through Section 3.6 in accordance with the SAE J575 Standard.

Page 3 - 19 VAC 30-160-50 is added for consistency with the Society of Automotive Engineers (SAE) Standard J575.

Page 3 - 19 VAC 30-160-50, Section 4.1 through 4.7 is added for consistency with the Society of Automotive Engineers (SAE) Standard J575.

Page 3 - 19 VAC 30-160-60 is renumbered due to previous numbering changes.

Page 3 - 19 VAC 30-160-70 is renumbered due to previous numbering changes.

Page 3 - 19 VAC 30-160-80 is renumbered due to previous numbering changes.

Page 3 - 19 VAC 30-160-80 text is revised by deleting the effective date of this regulation.

Page 3 - the date that this regulation was adopted has been deleted.

Alternatives

Amendment of the existing regulation is the only alternative that meets the essential purpose of the action.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

This proposed regulatory action will have no potential impact on the institution of the family and family stability.