

“Under the Trooper’s Hat”

**By: Trooper Michael Hayen
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I have received a couple of questions from readers and I will address them for this month’s article.

If you're passing someone on a two-lane highway, are you allowed to exceed the speed limit until you're able to return to the right lane?

North Dakota law does not allow for a vehicle to exceed the posted speed limit when passing another vehicle traveling in the same direction. If you decide to pass another vehicle and exceed the posted speed limit while doing so, you are subject to being stopped by law enforcement and may receive a warning or citation. More information about North Dakota speeding laws can be found in the North Dakota Century Code chapter 39-09.

Can anything be done about farmers going down the highway with those HUGE headers attached to their combines? (or does someone have to be injured first?) What are the rules for traveling after dark with farm equipment?

These are great questions that I get all the time from motorists who are concerned about large implements of husbandry, usually combines with headers, traveling on roadways.

Our current law, North Dakota Century Code (N.D.C.C) 39-12-04, states that the legal width on all highways is 8 feet 6 inches; however, exemptions in law are made for implements of husbandry being moved by resident farmers, ranchers, dealers and manufacturers between sunrise and sunset. Nighttime travel is allowed, provided the implements are properly lighted and not being moved on the interstate highway system.

The requirements for nighttime travel for an implement of husbandry can be found in N.D.C.C. 39-21-15: Lamps, reflectors, and reflective materials on farm tractors, farm equipment, and implements of husbandry.

If a load width is greater than 8 feet 6 inches, red or bright orange flags (18” by 18”) must be displayed on the front and rear of the load and on the traffic side. If there are no flags, then the vehicle can be followed by a pilot car, to the rear, with flashing lights. The towing vehicle may have a lighted rotating or flashing amber lights that are visible from the rear for a minimum of five hundred feet.

If a load is greater than 14 feet 6 inches wide, the load must have a red or bright orange flag (18” x 18”) mounted on a pole showing the extreme outside width and height on the traffic side. If there are no flags then the towing vehicle shall have a lighted rotating flashing amber light which is visible from the front and rear for at least 500 feet. If pilot cars are used, then there must be one pilot car to the front and one to the rear. Both need to be equipped with a rotating or flashing amber light.

These requirements are the same for tractors, implements of husbandry and combines traveling on the roadway with headers on.

The mission of the North Dakota Highway Patrol is to make a difference every day by providing high-quality law enforcement services to keep North Dakota safe and secure. NDHP invites you to visit the FAQ section of our website: www.nd.gov/ndhp, like our Facebook page www.facebook.com/northdakotahighwaypatrol or join us on Twitter [@NDHighwayPatrol](https://twitter.com/NDHighwayPatrol) or Instagram, www.instagram.com/ndhighwaypatrol, where you can learn more about traffic safety, get tips, and read NDHP news. Download the NDHP mobile app to receive notifications, download a .pdf of items to include in your winter weather travel kit, report a crime tip, thank a trooper, ask a question, or make a suggestion for next month's *Under the Trooper's Hat* feature.