

CHAPTER 4.**HEAVE EQUIPMENT VEHICLES****ARRANGEMENT OF SECTIONS**

Section

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An Act to provide for certain requirements relating to the operation of heavy equipment vehicles on the road during normal business hours.

Commencement: 10 October 1994.

Source: P.L. 1994-106

§401. Short Title.

This Chapter may be cited as the Heavy Equipment Vehicle Act of 1994. [P.L. 1994-106, §1.]

§402. Purpose.

The purpose of this legislation is to address the growing public safety problem of traffic congestion associated with the operation of heavy equipment vehicles on the road during normal business hours. [P.L. 1994-106, §2.]

§403. Definition.

As used in this Chapter, the term “heavy equipment vehicles” shall mean all private and publicly owned vehicles of a nature intended primarily for off-road, agricultural, industrial or construction use. [P.L. 1994-106, §3.]

§404. Restrictions on Operation.

(1) In the event that it shall become necessary to operate, on a normal business day, a heavy equipment vehicle on the road for a distance of greater than 1 mile, all reasonable efforts shall be made by the owner and operator of such vehicle to do so either before or after normal business hours.

(2) In the event that compliance with the foregoing shall prove impracticable, despite all reasonable efforts to the contrary, such heavy equipment vehicle shall nevertheless be permitted to operate on the road for the necessary distance during normal business hours, provided, that:

(a) the operator shall, at all times, respect and obey all relevant motor traffic laws and regulations, including those regarding equipment; and

(b) the operator shall, at all times, remain attentive to the vehicles directly behind his or her heavy equipment vehicle, and when such vehicles shall number four (4) or more, he or she shall properly signal and then move to the far right side of the road at the first instance

where it is safe to do so, and allow such other vehicles to safely pass to the left thereof. [P.L. 1994-106, §4.]

§405. Penalty.

Any person who operates or allows or directs a person to operate a heavy equipment vehicle in contravention of this Chapter shall be guilty of a misdemeanor and shall upon conviction be liable to a fine not exceeding \$100 or to a term of imprisonment not exceeding two (2) weeks, or both. [P.L. 1994-106, §5.]