

House Bill 2353

Sponsored by Representative MORGAN (at the request of Mike Hill)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes combination of three vehicles to be operated on highway under specified circumstances.

A BILL FOR AN ACT

Relating to combinations of vehicles; amending ORS 818.100 and 818.120.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 818.100 is amended to read:

818.100. This section establishes exemptions from the maximum size limitations under ORS 818.080 and 818.090. The exemptions under this section are in addition to any exemptions under ORS 801.026. Operation in accordance with one of the exemptions described is not subject to ORS 818.090. Exemptions are partial or complete as described in the following:

(1) The maximum size limits do not apply on any way, thoroughfare or place owned by a district formed under ORS [*chapters*] **chapter** 545, 547[,], **or** 551 or a corporation formed under ORS chapter 554.

(2) The maximum size limits do not apply on any road or thoroughfare or property in private ownership or any road or thoroughfare, other than a state highway or county road, used pursuant to any agreement with any agency of the United States or with a licensee of such agency or both.

(3) The maximum size limits do not apply to any vehicle, combination of vehicles, article, machine or other equipment while being used by the federal government, the State of Oregon or any county or incorporated city in the construction, maintenance or repair of public highways and at the immediate location or site of such construction, maintenance or repair.

(4) The maximum size limits do not apply to vehicles while being used on the roads of a road authority by mass transit districts for the purposes authorized under ORS 267.010 to 267.390, provided the size of the vehicles is approved by the road authority for the roads.

(5) Size limits are not applicable in any place and to the extent size limits are modified by a road authority under ORS 810.060. The exemption under this subsection is subject to the limitations imposed by the road authority exercising the powers granted under ORS 810.060.

(6) Operations authorized to exceed size limits by a variance permit issued under ORS 818.200 are subject to the terms of the permit. It shall be a defense to any charge of violation of ORS 818.090 if the person so charged produces a variance permit issued under ORS 818.200 authorizing the operation of the vehicle or combination of vehicles issued prior to and valid at the time of the offense.

(7) Pneumatic tires made of elastic material, flexible mud flaps, flexible fenders, safety accessories such as clearance lights, rub rails and binder chains, and appurtenances such as door handles, door hinges and turning signal brackets may exceed the maximum allowable width described in Ta-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 ble I of ORS 818.080 by a distance not greater than two inches on each side of the vehicle.

2 (8) Rearview mirrors may exceed the maximum allowable width described in Table I of ORS
3 818.080 by a distance of not greater than five inches on each side of the vehicle.

4 (9) Notwithstanding the maximum allowable length of vehicles and loads on vehicles under Table
5 I of ORS 818.080, public utilities, telecommunications utilities, people’s utilities districts and coop-
6 erative rural electrification districts or common or contract carriers when acting as agent for or
7 on direct orders of such a utility or district, for the purpose of transporting and hauling poles, piling
8 or structures used or to be used in connection with their business, may use and operate upon any
9 highway of this state any combination of vehicles having an overall length including load the total
10 length of which is not in excess of 80 feet unless an emergency exists.

11 (10) The load on a semitrailer may exceed the maximum length established under ORS 818.080
12 providing the load does not:

13 (a) Extend beyond the rear of the semitrailer by more than five feet;

14 (b) Extend forward of the rear of the cab of the towing vehicle; or

15 (c) Exceed an overall length permitted by a rule, resolution or ordinance adopted under ORS
16 810.060.

17 (11) The load upon a truck tractor and pole trailer may exceed the maximum length established
18 under ORS 818.080 if the overall length does not exceed that authorized by a rule, resolution or
19 ordinance adopted under ORS 810.060.

20 (12) None of the size limits described under ORS 818.080 except the maximum limit of allowable
21 extension beyond the last axle of a combination of vehicles under Table II apply to implements of
22 husbandry hauled, towed or moved upon any highway not a part of the Federal Interstate Highway
23 System if the movement is incidental to a farming operation and the owner of the implement of
24 husbandry is engaged in farming or if the owner is hired by or under contract to a farmer to perform
25 agricultural activities.

26 (13) The rear overhang of a combination of vehicles described in this subsection may extend
27 more than one-third but not more than one-half the length of the wheelbase of the combination of
28 vehicles. This subsection is applicable to any combination of vehicles consisting of a motor vehicle
29 towing any of the following:

30 (a) A manufactured structure or travel trailer.

31 (b) Any trailer designed to carry a single nonmotorized aircraft.

32 (14) A recreational vehicle may exceed the maximum width established under ORS 818.080 if the
33 excess width is attributable to an appurtenance that does not extend beyond the body of the vehicle
34 by more than four inches, or if a passenger-side awning, by more than six inches. As used in this
35 subsection, “appurtenance” means an appendage that is installed by a factory or a vehicle dealer
36 and is intended as an integral part of the recreational vehicle. “Appurtenance” does not include an
37 item temporarily affixed or attached to the exterior of a vehicle for the purpose of transporting the
38 item from one location to another. “Appurtenance” does not include an item that obstructs the
39 driver’s rearward vision.

40 (15)(a) A recreational vehicle may exceed the maximum length established under ORS 818.080
41 if the vehicle is not more than 45 feet long.

42 (b) A combination that includes a recreational vehicle that is not more than 45 feet long, when
43 operating on Group 1 or Group 2 highways as designated by the Department of Transportation, may
44 exceed the maximum length for vehicles in a combination established under ORS 818.080 if the
45 combination is not more than 65 feet long.

1 (16) A motor vehicle transporter may exceed the maximum lengths established in ORS 818.080
 2 for a single vehicle, a vehicle in a combination of vehicles and a load if the length of the single
 3 vehicle, vehicle in a combination or load does not exceed 45 feet.

4 (17) A motor vehicle transporter towing another vehicle, when operating on a Group 1 or Group
 5 2 highway as designated by the department, may exceed the maximum length established in ORS
 6 818.080 for a combination of vehicles if the overall length does not exceed 65 feet.

7 **(18) A combination of three vehicles may exceed the maximum length established in ORS**
 8 **818.080 for a combination of vehicles if:**

9 **(a) The combination is not more than 65 feet long;**

10 **(b) The vehicles comply with ORS 818.120 (10); and**

11 **(c) The vehicles are:**

12 **(A) A motor vehicle;**

13 **(B) A recreational vehicle without motive power, attached to the motor vehicle with a**
 14 **fifth wheel hitch; and**

15 **(C) A small trailer that is attached to the recreational vehicle and that has a loaded**
 16 **weight of less than 3,500 pounds.**

17 **SECTION 2.** ORS 818.100, as amended by section 121, chapter 655, Oregon Laws 2003, is
 18 amended to read:

19 818.100. This section establishes exemptions from the maximum size limitations under ORS
 20 818.080 and 818.090. The exemptions under this section are in addition to any exemptions under ORS
 21 801.026. Operation in accordance with one of the exemptions described is not subject to ORS 818.090.
 22 Exemptions are partial or complete as described in the following:

23 (1) The maximum size limits do not apply on any way, thoroughfare or place owned by a district
 24 formed under ORS [*chapters*] **chapter** 545, 547[,], or 551 or a corporation formed under ORS chapter
 25 554.

26 (2) The maximum size limits do not apply on any road or thoroughfare or property in private
 27 ownership or any road or thoroughfare, other than a state highway or county road, used pursuant
 28 to any agreement with any agency of the United States or with a licensee of such agency or both.

29 (3) The maximum size limits do not apply to any vehicle, combination of vehicles, article, ma-
 30 chine or other equipment while being used by the federal government, the State of Oregon or any
 31 county or incorporated city in the construction, maintenance or repair of public highways and at
 32 the immediate location or site of such construction, maintenance or repair.

33 (4) The maximum size limits do not apply to vehicles while being used on the roads of a road
 34 authority by mass transit districts for the purposes authorized under ORS 267.010 to 267.390, pro-
 35 vided the size of the vehicles is approved by the road authority for the roads.

36 (5) Size limits are not applicable in any place and to the extent size limits are modified by a road
 37 authority under ORS 810.060. The exemption under this subsection is subject to the limitations im-
 38 posed by the road authority exercising the powers granted under ORS 810.060.

39 (6) Operations authorized to exceed size limits by a variance permit issued under ORS 818.200
 40 are subject to the terms of the permit. It shall be a defense to any charge of violation of ORS 818.090
 41 if the person so charged produces a variance permit issued under ORS 818.200 authorizing the op-
 42 eration of the vehicle or combination of vehicles issued prior to and valid at the time of the offense.

43 (7) Pneumatic tires made of elastic material, flexible mud flaps, flexible fenders, safety accesso-
 44 ries such as clearance lights, rub rails and binder chains, and appurtenances such as door handles,
 45 door hinges and turning signal brackets may exceed the maximum allowable width described in Ta-

1 ble I of ORS 818.080 by a distance not greater than two inches on each side of the vehicle.

2 (8) Rearview mirrors may exceed the maximum allowable width described in Table I of ORS
3 818.080 by a distance of not greater than five inches on each side of the vehicle.

4 (9) Notwithstanding the maximum allowable length of vehicles and loads on vehicles under Table
5 I of ORS 818.080, public utilities, telecommunications utilities, people’s utilities districts and coop-
6 erative rural electrification districts or common or contract carriers when acting as agent for or
7 on direct orders of such a utility or district, for the purpose of transporting and hauling poles, piling
8 or structures used or to be used in connection with their business, may use and operate upon any
9 highway of this state any combination of vehicles having an overall length including load the total
10 length of which is not in excess of 80 feet unless an emergency exists.

11 (10) The load on a semitrailer may exceed the maximum length established under ORS 818.080
12 providing the load does not:

13 (a) Extend beyond the rear of the semitrailer by more than five feet;

14 (b) Extend forward of the rear of the cab of the towing vehicle; or

15 (c) Exceed an overall length permitted by a rule, resolution or ordinance adopted under ORS
16 810.060.

17 (11) The load upon a truck tractor and pole trailer may exceed the maximum length established
18 under ORS 818.080 if the overall length does not exceed that authorized by a rule, resolution or
19 ordinance adopted under ORS 810.060.

20 (12) None of the size limits described under ORS 818.080 except the maximum limit of allowable
21 extension beyond the last axle of a combination of vehicles under Table II apply to implements of
22 husbandry hauled, towed or moved upon any highway not a part of the Federal Interstate Highway
23 System if the movement is incidental to a farming operation and the owner of the implement of
24 husbandry is engaged in farming or if the owner is hired by or under contract to a farmer to perform
25 agricultural activities.

26 (13) The rear overhang of a combination of vehicles described in this subsection may extend
27 more than one-third but not more than one-half the length of the wheelbase of the combination of
28 vehicles. This subsection is applicable to any combination of vehicles consisting of a motor vehicle
29 towing any of the following:

30 (a) A travel trailer.

31 (b) Any trailer designed to carry a single nonmotorized aircraft.

32 (14) The rear overhang of a combination consisting of a motor vehicle towing a manufactured
33 structure may exceed one-third, but may not exceed one-half, the length of the wheelbase of the
34 combined vehicle and structure.

35 (15) A recreational vehicle may exceed the maximum width established under ORS 818.080 if the
36 excess width is attributable to an appurtenance that does not extend beyond the body of the vehicle
37 by more than four inches, or if a passenger-side awning, by more than six inches. As used in this
38 subsection, “appurtenance” means an appendage that is installed by a factory or a vehicle dealer
39 and is intended as an integral part of the recreational vehicle. “Appurtenance” does not include an
40 item temporarily affixed or attached to the exterior of a vehicle for the purpose of transporting the
41 item from one location to another. “Appurtenance” does not include an item that obstructs the
42 driver’s rearward vision.

43 (16)(a) A recreational vehicle may exceed the maximum length established under ORS 818.080
44 if the vehicle is not more than 45 feet long.

45 (b) A combination that includes a recreational vehicle that is not more than 45 feet long, when

1 operating on Group 1 or Group 2 highways as designated by the Department of Transportation, may
 2 exceed the maximum length for vehicles in a combination established under ORS 818.080 if the
 3 combination is not more than 65 feet long.

4 (17) A motor vehicle transporter may exceed the maximum lengths established in ORS 818.080
 5 for a single vehicle, a vehicle in a combination of vehicles and a load if the length of the single
 6 vehicle, vehicle in a combination or load does not exceed 45 feet.

7 (18) A motor vehicle transporter towing another vehicle, when operating on a Group 1 or Group
 8 2 highway as designated by the department, may exceed the maximum length established in ORS
 9 818.080 for a combination of vehicles if the overall length does not exceed 65 feet.

10 **(19) A combination of three vehicles may exceed the maximum length established in ORS**
 11 **818.080 for a combination of vehicles if:**

12 **(a) The combination is not more than 65 feet long;**

13 **(b) The vehicles comply with ORS 818.120 (10); and**

14 **(c) The vehicles are:**

15 **(A) A motor vehicle;**

16 **(B) A recreational vehicle without motive power, attached to the motor vehicle with a**
 17 **fifth wheel hitch; and**

18 **(C) A small trailer that is attached to the recreational vehicle and that has a loaded**
 19 **weight of less than 3,500 pounds.**

20 **SECTION 3.** ORS 818.120 is amended to read:

21 818.120. This section establishes exemptions from ORS 818.110. The exemptions under this sec-
 22 tion are in addition to any exemptions under ORS 801.026. Operation in accordance with one of the
 23 exemptions described is not subject to ORS 818.110. Exemptions are partial or complete as described
 24 in the following:

25 (1) The limit on the number of vehicles that may be operated in combination does not apply on
 26 any way, thoroughfare or place owned by a district formed under ORS [*chapters*] **chapter** 545,
 27 547[,] **or** 551 or a corporation formed under ORS chapter 554.

28 (2) The limit on the number of vehicles that may be operated in combination does not apply on
 29 any road or thoroughfare or property in private ownership or any road or thoroughfare, other than
 30 a state highway or county road, used pursuant to any agreement with any agency of the United
 31 States or with a licensee of such agency or both.

32 (3) The limit on the number of vehicles that may be operated in combination does not apply to
 33 any vehicles, combination of vehicles, articles, machines or other equipment while being used by the
 34 federal government, the State of Oregon or any county or incorporated city in the construction,
 35 maintenance or repair of public highways and at the immediate location or site of such construction,
 36 maintenance or repair.

37 (4) The limit on the number of vehicles that may be operated in combination does not apply to
 38 any vehicles while being used on the roads of a road authority by mass transit districts for purposes
 39 authorized under ORS 267.010 to 267.390, provided the use of the vehicles is approved by the road
 40 authority for its roads.

41 (5) Operations authorized to exceed the limit on the number of vehicles that may be operated
 42 in combination by a variance permit issued under ORS 818.200 are subject to the terms of the per-
 43 mit. It shall be a defense to any charge of violation of ORS 818.110 if the person so charged produces
 44 a variance permit issued under ORS 818.200 authorizing the operation of the combination of vehicles
 45 issued prior to and valid at the time of the offense.

1 (6) In drive-away operations, three vehicles may be coupled together by a double saddle-mount
2 method or by a single saddle-mount and tow bar method or four vehicles by a triple saddle-mount
3 method.

4 (7) A combination of three implements of husbandry or two implements of husbandry drawn by
5 another vehicle may be operated on a highway without violation of the limits under ORS 818.110.

6 (8) A truck tractor and semitrailer drawing one trailer or a truck tractor and semitrailer
7 drawing one additional semitrailer mounted on a dolly equipped with a fifth wheel hitch may be
8 operated on a highway without violation of the limits under ORS 818.110.

9 (9) A truck tractor and semitrailer drawing a balance trailer with a length not in excess of 15
10 feet and a loaded weight not in excess of 8,000 pounds or drawing a dolly may be operated on a
11 highway without violation of the limits under ORS 818.110.

12 **(10) A combination of three vehicles may be operated on a highway without violation of**
13 **the limits under ORS 818.110 if the vehicles in the combination are operated solely for per-**
14 **sonal use.**

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