

**Enrolled**  
**House Joint Memorial 35**

Sponsored by COMMITTEE ON ELECTIONS AND RULES

To the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-third Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas Oregon's farms and ranches represent the second largest traded-sector industry in the state; and

Whereas most Oregon agricultural operations are family owned and operated; and

Whereas Oregon is known for its wide variety of top-quality agricultural products, leading the nation in the production of hazelnuts, a variety of berries and fruits, certain grass seed varieties, various nursery products, Christmas trees, mint varieties, hops and seafood; and

Whereas Oregon farm trucks play an integral role in transporting Oregon's commodities and other agricultural products from field to market; and

Whereas accidents involving farm trucks in Oregon make up only 0.93 percent of the 1,075 total truck accidents, 1.49 percent of all deaths in truck accidents and 0.59 percent of all injuries in truck accidents; and

Whereas farm trucks generally are involved in a low number of accidents due to limited time on highways, often operating over secondary roads along routes familiar to drivers, and seasonal use; and

Whereas solo farm vehicle drivers are exempt by federal regulation from driver qualification regulations; and

Whereas current federal regulations exempt farm vehicle drivers from requirements when operating within 100 to 150 air miles from the farm or commodity distribution point; and

Whereas in 2003 the Seventy-second Legislative Assembly of the State of Oregon passed legislation to clarify the issue of farm trucks operating in interstate commerce subject to federal motor carrier safety regulations while exempting farm trucks that operate in intrastate commerce; and

Whereas a hardship on the Oregon agriculture industry has resulted from a historically broad interpretation of "interstate commerce," resulting in defining a large percentage of farm products that move from point to point within Oregon as products moving in interstate commerce and making it difficult for many Oregon farmers to meet federal safety regulations; now, therefore,

**Be It Resolved by the Legislative Assembly of the State of Oregon:**

(1) The Congress of the United States of America is encouraged to free Oregon farmers from undue regulatory barriers by enacting a law declaring farm trucks as operating in intrastate commerce when operating within 150 miles of the home farm of the truck except when the truck is operated as a for-hire carrier of farm products.

(2) A copy of this memorial shall be sent to each member of the Oregon Congressional Delegation.

Adopted by House May 20, 2005

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Chief Clerk of House

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Speaker of House

Adopted by Senate June 27, 2005

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President of Senate