

House Joint Memorial 35

Sponsored by COMMITTEE ON ELECTIONS AND RULES

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**.

Urges Congress to pass law declaring farm trucks as operating in intrastate commerce when within 150 miles of home farm unless truck is operated as for-hire carrier of farm products.

JOINT MEMORIAL

1 To the Senate and the House of Representatives of the United States of America, in Congress as-
2 sembled:
3

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (2) A copy of this memorial shall be sent to each member of the Oregon Congressional Delega-
6 tion.

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