

A-Engrossed
Senate Bill 595

Ordered by the Senate March 14
Including Senate Amendments dated March 14

Sponsored by Senator JOHNSON (at the request of Timberland Logging)

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.

Allows Director of Transportation to temporarily suspend one or more of specified motor carrier statutes at time of emergency. Limits length of time statute may be suspended.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to suspension of operation of motor carrier laws at time of emergency; and declaring an
3 emergency.

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

5 **SECTION 1. Section 2 of this 2005 Act is added to and made a part of the Oregon Vehicle**
6 **Code.**

7 **SECTION 2. (1) If the Director of Transportation determines that an emergency, as de-**
8 **defined in ORS 401.025, has occurred or is imminent, the director may suspend operation of one**
9 **or more of the following statutes involving motor carriers for the purpose of expediting the**
10 **movement of persons or property:**

11 (a) **ORS 818.400, compliance with commercial vehicle enforcement requirements related**
12 **to commercial vehicle weight, size, load, conformation or equipment.**

13 (b) **ORS 825.100, certificate or permit requirement for commercial transportation of per-**
14 **sons or property.**

15 (c) **ORS 825.104, permit requirement for for-hire or private carrier engaged in interstate**
16 **operations.**

17 (d) **ORS 825.160, requirement for person operating as motor carrier to have policy of**
18 **public liability and property damage.**

19 (e) **ORS 825.162, requirement for person operating as for-hire carrier of freight or express**
20 **to have cargo insurance.**

21 (f) **ORS 825.250, requirement to stop and submit to an inspection of the driver, the cargo**
22 **or the vehicle or combination of vehicles.**

23 (g) **ORS 825.252, safety regulations for for-hire and private carriers.**

24 (h) **ORS 825.258, rules for transportation of hazardous waste, hazardous material and**
25 **PCB.**

26 (i) **ORS 825.450, weight receipts issued by Department of Transportation for motor vehi-**
27 **cles subject to weight-mile tax.**

28 (j) **ORS 825.470, temporary pass for single trip or short-time operation of vehicle.**

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 **(k) ORS 825.474, assessment of tax for use of highways.**

2 **(L) ORS 826.031, registration of certain vehicles not already registered with state.**

3 **(2) A suspension under this section may occur prior to a declaration of a state of emer-**
4 **gency under ORS 401.055, but may not exceed 72 hours unless a state of emergency is de-**
5 **clared under ORS 401.055. If a state of emergency is declared under ORS 401.055, the**
6 **suspension shall last until the state of emergency is terminated as provided under ORS**
7 **401.105.**

8 **(3) The director may designate by rule a line of succession of deputy directors or other**
9 **employees of the department who may suspend operations of statutes under this section in**
10 **the event the director is not available. Any suspension by a person designated by the director**
11 **under this subsection has the same force and effect as if issued by the director, except that,**
12 **if the director can be reached, the suspension must be affirmed by the director when the**
13 **director is reached. If the director does not set aside a suspension within 24 hours of being**
14 **reached, the suspension shall be considered affirmed by the director.**

15 **SECTION 3. This 2005 Act being necessary for the immediate preservation of the public**
16 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**
17 **on its passage.**