

Senate Bill 546

Sponsored by Senator GIROD (Pre-session filed.)

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**.

Increases time that Director of Transportation, after determining emergency exists, may suspend certain statutes related to trucking from 72 hours to 120 hours.

A BILL FOR AN ACT

1
2 Relating to motor vehicles; amending ORS 823.012.

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

4 **SECTION 1.** ORS 823.012 is amended to read:

5 823.012. (1) If the Director of Transportation determines that an emergency, as defined in ORS
6 401.025, has occurred or is imminent, the director may suspend operation of one or more of the fol-
7 lowing statutes involving motor carriers for the purpose of expediting the movement of persons or
8 property:

9 (a) ORS 818.400, compliance with commercial vehicle enforcement requirements related to com-
10 mercial vehicle weight, size, load, conformation or equipment.

11 (b) ORS 825.100, certificate or permit requirement for commercial transportation of persons or
12 property.

13 (c) ORS 825.104, registration requirement for for-hire or private carrier engaged in interstate
14 operations.

15 (d) ORS 825.160, requirement for person operating as motor carrier to have policy of public li-
16 ability and property damage insurance.

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

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

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

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

23 (i) ORS 825.450, weight identifiers issued by Department of Transportation.

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

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

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

27 (2) A suspension under this section may occur prior to a declaration of a state of emergency
28 under ORS 401.165, but may not exceed [72] **120** hours unless a state of emergency is declared under
29 ORS 401.165. If a state of emergency is declared under ORS 401.165, the suspension shall last until
30 the state of emergency is terminated as provided under ORS 401.204.

31 (3) The director may designate by rule a line of succession of deputy directors or other em-

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 ployees of the department who may suspend operations of statutes under this section in the event
2 the director is not available. Any suspension by a person designated by the director under this
3 subsection has the same force and effect as if issued by the director, except that, if the director can
4 be reached, the suspension must be affirmed by the director when the director is reached. If the
5 director does not set aside a suspension within 24 hours of being reached, the suspension shall be
6 considered affirmed by the director.

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