

# House Bill 3438

Sponsored by Representative EVANS (at the request of J Michael Caldwell)

## 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**.

Permits motor vehicle drawing trailer to also draw farm trailer under specified conditions.

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

3 (9) Notwithstanding the maximum allowable length of vehicles and loads on vehicles under Table  
4 I of ORS 818.080, public utilities, telecommunications utilities, people’s utilities districts, munic-  
5 ipalities and electric cooperatives, or common or contract carriers when acting as an agent for or  
6 on direct orders of a public utility, telecommunications utility, people’s utility district, municipality  
7 or electric cooperative, for the purpose of transporting and hauling poles, piling or structures used  
8 or to be used in connection with their operations, may use and operate upon any highway of this  
9 state any combination of vehicles having an overall length, including load, that does not exceed 80  
10 feet, except that the overall length may exceed 80 feet if an emergency exists. For purposes of this  
11 subsection, an unplanned disruption in the services provided by a public utility, telecommunications  
12 utility, people’s utility district, municipality or electric cooperative occurring outside the normal  
13 business hours of the road authority or authorized private contractor from which the public utility,  
14 telecommunications utility, people’s utility district, municipality or electric cooperative would ac-  
15 quire a variance permit is an emergency.

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

- 18 (a) Extend beyond the rear of the semitrailer by more than five feet;
- 19 (b) Extend forward of the rear of the cab of the towing vehicle; or
- 20 (c) Exceed an overall length permitted by a rule, resolution or ordinance adopted under ORS  
21 810.060.

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

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

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

- 35 (a) A travel trailer.
- 36 (b) Any trailer designed to carry a single nonmotorized aircraft.

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

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

1 item from one location to another. "Appurtenance" does not include an item that obstructs the  
 2 driver's rearward vision.

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

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

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

12 (18) A motor vehicle transporter towing another vehicle, when operating on a Group 1 or Group  
 13 2 highway as designated by the department, may exceed the maximum length established in ORS  
 14 818.080 for a combination of vehicles if the overall length does not exceed 65 feet.

15 (19) A school bus or school activity vehicle may exceed the maximum length established under  
 16 ORS 818.080 if the vehicle is not more than 45 feet long.

17 **(20) The following combination of three vehicles may exceed the maximum length estab-**  
 18 **lished in ORS 818.080 for a combination of vehicles:**

19 **(a) A motor vehicle;**

20 **(b) A trailer attached to the motor vehicle; and**

21 **(c) A farm trailer attached to the trailer so long as the farm trailer is:**

22 **(A) Attached to the trailer using a hitch that does not swivel; and**

23 **(B) Does not exceed eight feet in length.**

24 **SECTION 2.** ORS 818.120 is amended to read:

25 818.120. This section establishes exemptions from ORS 818.110. The exemptions under this sec-  
 26 tion are in addition to any exemptions under ORS 801.026. Operation in accordance with one of the  
 27 exemptions described is not subject to ORS 818.110. Exemptions are partial or complete as described  
 28 in the following:

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

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

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

41 (4) The limit on the number of vehicles that may be operated in combination does not apply to  
 42 any vehicles while being used on the roads of a road authority by mass transit districts for purposes  
 43 authorized under ORS 267.010 to 267.394, provided the use of the vehicles is approved by the road  
 44 authority for its roads.

45 (5) Operations authorized to exceed the limit on the number of vehicles that may be operated

1 in combination by a variance permit issued under ORS 818.200 are subject to the terms of the per-  
2 mit. It shall be a defense to any charge of violation of ORS 818.110 if the person so charged produces  
3 a variance permit issued under ORS 818.200 authorizing the operation of the combination of vehicles  
4 issued prior to and valid at the time of the offense.

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

8 (7) A combination of three implements of husbandry or two implements of husbandry hauled or  
9 towed by another vehicle may be operated on a highway without violation of the limits under ORS  
10 818.110.

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

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

17 **(10) A combination of vehicles described in ORS 818.100 (20) may be operated on a high-**  
18 **way without violation of the limits described under ORS 818.110.**

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