

SB 839 -2 STAFF MEASURE SUMMARY

Joint Committee On Transportation

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Meeting Dates: 2/3, 4/7

WHAT THE MEASURE DOES:

Modifies statutes relating to the regulation of commercial vehicles.

Detailed Summary

Senate Bill 839 makes a number of modifications to commercial vehicle statutes, including: reducing the penalty for failure to comply with commercial vehicle enforcement requirements from a Class B misdemeanor to a Class A traffic violation; clarification that persons operating commercial vehicles under a charitable organization or in an eleemosynary capacity, or for-hire operators transporting such individuals, remain subject to federal motor carrier safety regulations; revising provisions related to the offense of operating a motor vehicle without driving privileges in violation of ORS 807.010; and revising provisions related to offense of transporting household goods for hire in intrastate commerce without a valid certificate issued by the Oregon Department of Transportation. The measure applies to offenses occurring on or after the measure's effective date.

ISSUES DISCUSSED:

- Helps align state statute with federal law under interstate compact
- Expanded enforcement to vehicles 10,001 - 26,000 pounds

EFFECT OF AMENDMENT:

-2 Clarifies offense of failure to comply with commercial vehicle enforcement requirements by specifying that a truck must stop and submit to enforcement when directed to by any sign, *other than an "OPEN" sign described in measure*. Reduces penalty in some cases from Class B misdemeanor to Class A traffic violation.

FISCAL: Minimal fiscal impact on measure w/the -2 amendment

REVENUE: Minimal revenue impact on measure w/the -2 amendment

BACKGROUND:

Interstate commerce in the United States is regulated primarily at the federal level, though much of the enforcement is conducted at the state level. In Oregon, the primary regulatory agency is the Oregon Department of Transportation (ODOT), via its Commerce and Compliance Division (CCD). The CCD is responsible for ensuring the safety of commercial trucking (both interstate and intrastate) as well as passenger buses. ODOT collects weight mile taxes and truck registration fees to both pay for administration of interstate commerce laws and to provide revenues for the State Highway Fund.

Commercial trucking is governed by an interstate compact that is adopted by all 50 states. Some aspects of interstate commerce regulation is determined by a contract that is periodically updated within federal statutes; when such changes are made, state statutes must also be amended to provide consistency with both federal law and those of other states. Not all aspects of commercial trucking are uniform across all states, as regulations regarding weight limits, speed limits, vehicle emissions and others can vary depending on the state.

Senate Bill 939 makes several minor changes to commercial transport statutes in Oregon.