

**B-Engrossed**  
**House Bill 2568**

Ordered by the Senate May 19  
Including House Amendments dated March 9 and Senate Amendments  
dated May 19

Sponsored by Representative WITT (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.

Specifies, for purposes of exempting certain vehicles from overall allowable length of vehicles under Vehicle Code, that unplanned disruption in services provided by public utility, telecommunications utility, people's utility district, **municipality** or electric cooperative is emergency if disruption occurs outside normal business hours during which public utility, telecommunications utility, people's utility district, **municipality** or electric cooperative may acquire variance permit.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to utilities; amending ORS 818.100; and declaring an emergency.

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

4 **SECTION 1.** ORS 818.100 is amended to read:

5 818.100. This section establishes exemptions from the maximum size limitations under ORS  
6 818.080 and 818.090. The exemptions under this section are in addition to any exemptions under ORS  
7 801.026. Operation in accordance with one of the exemptions described is not subject to ORS 818.090.  
8 Exemptions are partial or complete as described in the following:

9 (1) The maximum size limits do not apply on any way, thoroughfare or place owned by a district  
10 formed under ORS chapters 545, 547, 551 or a corporation formed under ORS chapter 554.

11 (2) The maximum size limits do not apply on any road or thoroughfare or property in private  
12 ownership or any road or thoroughfare, other than a state highway or county road, used pursuant  
13 to any agreement with any agency of the United States or with a licensee of such agency or both.

14 (3) The maximum size limits do not apply to any vehicle, combination of vehicles, article, ma-  
15 chine or other equipment while being used by the federal government, the State of Oregon or any  
16 county or incorporated city in the construction, maintenance or repair of public highways and at  
17 the immediate location or site of such construction, maintenance or repair.

18 (4) The maximum size limits do not apply to vehicles while being used on the roads of a road  
19 authority by mass transit districts for the purposes authorized under ORS 267.010 to 267.390, pro-  
20 vided the size of the vehicles is approved by the road authority for the roads.

21 (5) Size limits are not applicable in any place and to the extent size limits are modified by a road  
22 authority under ORS 810.060. The exemption under this subsection is subject to the limitations im-  
23 posed by the road authority exercising the powers granted under ORS 810.060.

24 (6) Operations authorized to exceed size limits by a variance permit issued under ORS 818.200  
25 are subject to the terms of the permit. It shall be a defense to any charge of violation of ORS 818.090

**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 if the person so charged produces a variance permit issued under ORS 818.200 authorizing the op-  
2 eration of the vehicle or combination of vehicles issued prior to and valid at the time of the offense.

3 (7) Pneumatic tires made of elastic material, flexible mud flaps, flexible fenders, safety accesso-  
4 raries such as clearance lights, rub rails and binder chains, and appurtenances such as door handles,  
5 door hinges and turning signal brackets may exceed the maximum allowable width described in Ta-  
6 ble I of ORS 818.080 by a distance not greater than two inches on each side of the vehicle.

7 (8) Rearview mirrors may exceed the maximum allowable width described in Table I of ORS  
8 818.080.

9 (9) Notwithstanding the maximum allowable length of vehicles and loads on vehicles under Table  
10 I of ORS 818.080, public utilities, telecommunications utilities, people's utilities districts, **municipi-**  
11 **palties** and [*cooperative rural electrification districts*] **electric cooperatives**, or common or contract  
12 carriers when acting as **an** agent for or on direct orders of [*such a utility or district,*] **a public**  
13 **utility, telecommunications utility, people's utility district, municipality or electric cooper-**  
14 **ative**, for the purpose of transporting and hauling poles, piling or structures used or to be used in  
15 connection with their [*business*] **operations**, may use and operate upon any highway of this state  
16 any combination of vehicles having an overall length, including load [*the total length of which is not*  
17 *in excess of 80 feet unless an emergency exists.*], **that does not exceed 80 feet, except that the**  
18 **overall length may exceed 80 feet if an emergency exists. For purposes of this subsection,**  
19 **an unplanned disruption in the services provided by a public utility, telecommunications**  
20 **utility, people's utility district, municipality or electric cooperative occurring outside the**  
21 **normal business hours of the road authority or authorized private contractor from which the**  
22 **public utility, telecommunications utility, people's utility district, municipality or electric**  
23 **cooperative would acquire a variance permit is an emergency.**

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

26 (a) Extend beyond the rear of the semitrailer by more than five feet;

27 (b) Extend forward of the rear of the cab of the towing vehicle; or

28 (c) Exceed an overall length permitted by a rule, resolution or ordinance adopted under ORS  
29 810.060.

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

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

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

43 (a) A travel trailer.

44 (b) Any trailer designed to carry a single nonmotorized aircraft.

45 (14) The rear overhang of a combination consisting of a motor vehicle towing a manufactured

1 structure may exceed one-third, but may not exceed one-half, the length of the wheelbase of the  
2 combined vehicle and structure.

3 (15) A recreational vehicle may exceed the maximum width established under ORS 818.080 if the  
4 excess width is attributable to an appurtenance that does not extend beyond the body of the vehicle  
5 by more than four inches, or if a passenger-side awning, by more than six inches. As used in this  
6 subsection, "appurtenance" means an appendage that is installed by a factory or a vehicle dealer  
7 and is intended as an integral part of the recreational vehicle. "Appurtenance" does not include an  
8 item temporarily affixed or attached to the exterior of a vehicle for the purpose of transporting the  
9 item from one location to another. "Appurtenance" does not include an item that obstructs the  
10 driver's rearward vision.

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

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

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

20 (18) A motor vehicle transporter towing another vehicle, when operating on a Group 1 or Group  
21 2 highway as designated by the department, may exceed the maximum length established in ORS  
22 818.080 for a combination of vehicles if the overall length does not exceed 65 feet.

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

25 **SECTION 2. This 2017 Act being necessary for the immediate preservation of the public**  
26 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**  
27 **on its passage.**