

Enrolled
Senate Bill 411

Sponsored by Senator BEYER, Representatives MCKEOWN, MCLAIN; Representative BONHAM
(Presession filed.)

CHAPTER

AN ACT

Relating to exemptions from maximum vehicle weight limitations; amending ORS 818.030.

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

SECTION 1. ORS 818.030 is amended to read:

818.030. This section establishes exemptions from the maximum weight limitations under ORS 818.010 and 818.020. 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 the penalties in ORS 818.020. Exemptions are partial or complete as described in the following:

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

(2) The maximum weight limitations 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 weight limitations 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 weight limitations 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 267.390, provided the weight of the vehicles is approved by the road authority for the roads.

(5) Subject to the maximum weight limitations under Tables I and III of ORS 818.010, any vehicle with a single rear axle specially equipped with a self-compactor and used exclusively for garbage or refuse operations may have a loaded weight upon a single axle of not more than 22,000 pounds when laden with garbage or refuse. When unladen or when operating on any highway that is part of the federal interstate highway system such vehicles shall comply with the weight limitations under Table II of ORS 818.010.

(6) Weight limitations are not applicable in any place and to the extent the weight limitations 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.

(7) Operations authorized to exceed weight limitations 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 818.020 if the person so charged produces a variance permit issued under ORS 818.200 au-

thorizing the operation of the vehicle or combination of vehicles issued prior to and valid at the time of the offense.

(8)(a) Notwithstanding Table III of ORS 818.010, two consecutive sets of tandem axles may have a loaded weight of 34,000 pounds each when operating on interstate highways with a permit and on other highways without a permit, providing the distance between the first and last axles of the two sets of tandem axles is at least 30 feet but less than 36 feet.

(b) Notwithstanding Table III of ORS 818.010, two consecutive sets of tandem axles may have a loaded weight of 34,000 pounds each when operating on any highway if the overall distance between the first and the last axles of the sets of tandem axles is 36 feet or more.

(9) Notwithstanding Table III of ORS 818.010, a group of four axles consisting of a set of tandem axles and two axles spaced nine feet or more apart may have a loaded weight of more than 65,500 pounds and up to 70,000 pounds when operating on interstate highways with a permit and on other highways without a permit, providing the distance between the first and last axles of the group is 35 feet or more.

(10) The maximum weight limitations do not apply to a vehicle equipped with a fully functional idle reduction system designed to reduce fuel use and emissions from engine idling. The vehicle may exceed the weight limitations established under ORS 818.010 by not more than 550 pounds.

(11) The maximum weight limitations do not apply to a vehicle that uses natural gas as its fuel source **or a vehicle powered primarily by means of an electric battery**. The vehicle may exceed the weight limitations established under ORS 818.010 by not more than 2,000 pounds.

Passed by Senate May 15, 2019

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 30, 2019

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Tina Kotek, Speaker of House

Received by Governor:

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Approved:

.....M.,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2019

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Bev Clarno, Secretary of State