

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass and Be Placed on the Consent Calendar
Vote:	6 - 0 - 1
Yeas:	Buckley, Butler, Gilman, Smith G., Tomei, Beyer
Nays:	0
Exc.:	Read
Prepared By:	Judith Callens, Administrator
Meeting Dates:	3/19

WHAT THE MEASURE DOES: Specifies that exemptions from certain state trucking laws do not provide exemptions from federal motor carrier safety regulations for operations in interstate commerce.

ISSUES DISCUSSED:

- Recent federal advice
- 2003 legislation that addressed most of the federal compliance issues
- Safety problems not being the reason for this bill
- Court interpretations defining interstate commerce

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Oregon statutes contain exemptions from commercial truck safety requirements for certain charitable, farm, and mass transit vehicles in intrastate commerce, but the wording of the exemptions could be taken more broadly to exempt such vehicles in interstate commerce as well. That interpretation would put the state out of compliance with federal law. SB 221 specifies that state exemptions do not provide an exemption from federal motor carrier safety regulations for operations in interstate commerce. According to the Department of Transportation (ODOT) the changes in the bill will have no effect on current policy or practices.

Although legislation passed in 2003 (HB 2217) addressed this issue, the U.S. Department of Transportation has notified ODOT that the wording of several statutory exemptions “could still be construed to conflict with Federal laws and regulations.” Failure of the state to address this issue could put federal funds at risk, particularly grants through the Federal Motor Carrier Safety Assistance Program for truck safety inspections and enforcement. Under the program, Oregon receives about \$4.6 million per biennium, a share of which goes to local law enforcement agencies for truck inspections.