

House Bill 2821

Sponsored by Representative RICHARDSON (at the request of Randy Crafts)

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 recreational vehicle by fifth wheel hitch to also draw trailer.

A BILL FOR AN ACT

1
2 Relating to combinations of vehicles; amending ORS 818.100 and 818.120.

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

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

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

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.

1 818.080 by a distance of not greater than five inches on each side of the vehicle.

2 (9) Notwithstanding the maximum allowable length of vehicles and loads on vehicles under Table
 3 I of ORS 818.080, public utilities, telecommunications utilities, people’s utilities districts and coop-
 4 erative rural electrification districts or common or contract carriers when acting as agent for or
 5 on direct orders of such a utility or district, for the purpose of transporting and hauling poles, piling
 6 or structures used or to be used in connection with their business, may use and operate upon any
 7 highway of this state any combination of vehicles having an overall length including load the total
 8 length of which is not in excess of 80 feet unless an emergency exists.

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

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

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

13 (c) Exceed an overall length permitted by a rule, resolution or ordinance adopted under ORS
 14 810.060.

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

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

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

28 (a) A travel trailer.

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

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

33 (15) A recreational vehicle may exceed the maximum width established under ORS 818.080 if the
 34 excess width is attributable to an appurtenance that does not extend beyond the body of the vehicle
 35 by more than four inches, or if a passenger-side awning, by more than six inches. As used in this
 36 subsection, “appurtenance” means an appendage that is installed by a factory or a vehicle dealer
 37 and is intended as an integral part of the recreational vehicle. “Appurtenance” does not include an
 38 item temporarily affixed or attached to the exterior of a vehicle for the purpose of transporting the
 39 item from one location to another. “Appurtenance” does not include an item that obstructs the
 40 driver’s rearward vision.

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

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

1 combination is not more than 65 feet long.

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

5 (18) A motor vehicle transporter towing another vehicle, when operating on a Group 1 or Group
 6 2 highway as designated by the department, may exceed the maximum length established in ORS
 7 818.080 for a combination of vehicles if the overall length does not exceed 65 feet.

8 **(19) The following combination of three vehicles may exceed the maximum length estab-**
 9 **lished in ORS 818.080 for a combination of vehicles:**

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

11 (b) **A recreational vehicle without motive power, attached to the motor vehicle with a**
 12 **fifth wheel hitch; and**

13 (c) **A trailer that is attached to the recreational vehicle and that has a loaded weight of**
 14 **less than 3,500 pounds.**

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

16 818.120. This section establishes exemptions from ORS 818.110. The exemptions under this sec-
 17 tion are in addition to any exemptions under ORS 801.026. Operation in accordance with one of the
 18 exemptions described is not subject to ORS 818.110. Exemptions are partial or complete as described
 19 in the following:

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

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

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

32 (4) The limit on the number of vehicles that may be operated in combination does not apply to
 33 any vehicles while being used on the roads of a road authority by mass transit districts for purposes
 34 authorized under ORS 267.010 to 267.390, provided the use of the vehicles is approved by the road
 35 authority for its roads.

36 (5) Operations authorized to exceed the limit on the number of vehicles that may be operated
 37 in combination by a variance permit issued under ORS 818.200 are subject to the terms of the per-
 38 mit. It shall be a defense to any charge of violation of ORS 818.110 if the person so charged produces
 39 a variance permit issued under ORS 818.200 authorizing the operation of the combination of vehicles
 40 issued prior to and valid at the time of the offense.

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

44 (7) A combination of three implements of husbandry or two implements of husbandry drawn by
 45 another vehicle may be operated on a highway without violation of the limits under ORS 818.110.

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

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

7 **(10) A combination of vehicles described in ORS 818.100 (19) may be operated on a high-**
8 **way without violation of the limits under ORS 818.110.**

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