

A-Engrossed
House Bill 2902

Ordered by the House April 16
Including House Amendments dated April 16

Sponsored by Representative BEYER; Representatives BUCKLEY, BUTLER, GILMAN, Senators METSGER, STARR
(at the request of Oregon Trucking Associations)

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.

[Increases penalties for violation of maximum vehicle size limits.]
Allows issuance of fine *[of \$500]* **not to exceed \$720** for violation of **maximum** weight limits *[in lieu of per pound penalty]* if vehicle could have qualified for variance permit at time of offense.

A BILL FOR AN ACT

1
2 Relating to penalties for violations of maximum weight requirements; creating new provisions; and
3 amending ORS 818.020.

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

5 **SECTION 1.** ORS 818.020 is amended to read:

6 818.020. (1) A person commits the offense of violating maximum weight limits if the person does
7 any of the following:

8 (a) Drives or moves on a highway any vehicle or combination of vehicles that exceed the weight
9 limits established under ORS 818.010.

10 (b) Owns a vehicle or combination of vehicles and causes or permits the vehicle or combination
11 of vehicles to be driven or moved on a highway when the vehicle or combination of vehicles exceeds
12 the weight limits established under ORS 818.010. Operation of any vehicle or combination of vehicles
13 in violation of this section is prima facie evidence that the owner of the vehicle or combination
14 caused or permitted the vehicle or combination to be so operated and the owner shall be liable for
15 any penalties imposed under subsection (4) of this section as a result of the operation.

16 (2) The application of this section is subject to the exemptions from this section established
17 under ORS 818.030.

18 (3) Violation of the offense described in this section is subject to civil liability under ORS
19 818.410.

20 (4) The offense described in this section, violating maximum weight limits, is:

21 (a) **A Class A traffic violation if, at the time of the offense, an enforcement officer de-**
22 **termines the vehicle was eligible for a variance permit under ORS 818.200; and**

23 (b) **In circumstances not described in paragraph (a) of this subsection,** punishable by pen-
24 alties established in Schedule I of the schedules of penalties under ORS 818.430.

25 **SECTION 2.** The amendments to ORS 818.020 by section 1 of this 2007 Act apply to vio-
26 lations that occur on or after the effective date of this 2007 Act.

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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.