

Enrolled
House Bill 2902

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

CHAPTER

AN ACT

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

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

SECTION 1. ORS 818.020 is amended to read:

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

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

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

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

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

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

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

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

SECTION 2. The amendments to ORS 818.020 by section 1 of this 2007 Act apply to violations that occur on or after the effective date of this 2007 Act.

Passed by House April 19, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate May 18, 2007

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President of Senate

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

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Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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Secretary of State