

# Senate Bill 1024

Sponsored by COMMITTEE ON BUSINESS, TRANSPORTATION AND WORKFORCE DEVELOPMENT

## 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**.

Decreases weight of motor vehicle from less than 10,000 pounds to less than 8,000 pounds for purposes of registration, requiring vehicle to remain in right lane and requiring vehicle to be equipped with safety belts.

## A BILL FOR AN ACT

1  
2 Relating to motor vehicle weight; creating new provisions; and amending ORS 803.360, 803.430,  
3 803.590, 805.110, 811.111, 811.215 and 811.325.

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

5 **SECTION 1.** ORS 803.360 is amended to read:

6 803.360. (1) No person may register or renew the registration of a vehicle in this state unless  
7 the person is domiciled in this state, as described in ORS 803.355. This section does not apply to  
8 persons required by ORS 803.200 or any other provision of law, to register vehicles in this state.

9 (2) Notwithstanding subsection (1) of this section, a person who is not domiciled in this state  
10 may register or renew the registration of a vehicle that:

11 (a) Is usually left within the state when the registered owner is absent from the state;

12 (b) Is used primarily for personal transportation within the state;

13 (c) Is a private passenger vehicle or a vehicle with a loaded weight of less than [*10,000*] **8,000**  
14 pounds; and

15 (d) Is not a motor home or a camper.

16 **SECTION 2.** ORS 803.430 is amended to read:

17 803.430. (1) Registration weight is established for the following purposes:

18 (a) The registration weight is the weight used in the declaration of weight under ORS 803.435  
19 to determine the registration fees under ORS 803.420 for vehicles required to establish registration  
20 weight under this section.

21 (b) A vehicle that is required to establish registration weight by this section is in violation of  
22 ORS 803.315 if the vehicle is operated on a highway of this state at a weight in excess of the reg-  
23 istration weight except when carrying a load:

24 (A) Under the provisions of ORS 376.305 to 376.390;

25 (B) Of over 105,500 pounds combined weight under a variance permit issued under ORS 818.200;

26 (C) Under a registration weight trip permit issued under ORS 803.600; or

27 (D) Consisting of towed motor vehicles required to be registered under the vehicle code.

28 (2) Registration weight is established at the time of registration and whenever the vehicle has  
29 been altered or reconstructed by furnishing a declaration of weight described under ORS 803.435  
30 that contains a declaration of the maximum combined weight at which the vehicle will be operated  
31 on the highways of this state except when carrying loads described under subsection (1)(b) of this

**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 section. The maximum registration weight for any vehicle required to establish a registration weight  
 2 under this section is 105,500 pounds. Vehicles operating at weights above 105,500 pounds will oper-  
 3 ate under a variance permit issued under ORS 818.200.

4 (3) Except as provided in subsection (4) of this section, the following vehicles are required to  
 5 establish a registration weight under this section:

6 (a) Any motor truck that will be operated on the highways at a combined weight of more than  
 7 [10,000] **8,000** pounds not including the weight of any camper or trailing vehicle described in sub-  
 8 section (5) of this section, or any trailing manufactured structure.

9 (b) Any truck tractor that will be operated on the highways at a combined weight of more than  
 10 8,000 pounds not including the weight of any camper or trailing vehicle described in subsection (5)  
 11 of this section, or any trailing manufactured structure.

12 (c) An armored car, tow vehicle, hearse or ambulance.

13 (d) Any other motor vehicle that will be operated on the highways at a combined weight of more  
 14 than [10,000] **8,000** pounds not including the weight of any camper or trailing vehicle as described  
 15 in subsection (5) of this section, or any trailing manufactured structure.

16 (e) A self-propelled mobile crane.

17 (f) Any motor vehicle registered as a farm vehicle under ORS 805.300.

18 (4) A vehicle that is being registered under a specific provision of the vehicle code where fees  
 19 are not based on weight or where registration weight is specifically not required is not required to  
 20 establish registration weight under this section.

21 (5) The weight of a camper or the following trailing vehicles may not be included in the regis-  
 22 tration weight:

23 (a) Trailers with a loaded weight of 8,000 pounds or less.

24 (b) Special use trailers, travel trailers and fixed load vehicles.

25 (c) Towed motor vehicles.

26 (6) The weight of a trailing manufactured structure may not be included in the registration  
 27 weight.

28 **SECTION 3.** ORS 803.590 is amended to read:

29 803.590. (1) The owner of a vehicle described in this subsection shall be permitted to transfer  
 30 the registration plates from the vehicle to a like vehicle to be similarly used if the vehicle is de-  
 31 stroyed or permanently withdrawn from service within this state and if the registration fee for the  
 32 vehicle was more than \$10. To make a transfer of registration under this section, the owner of the  
 33 vehicle shall pay the Department of Transportation a registration transfer fee established under  
 34 ORS 803.575, file a statement indicating the withdrawal or destruction with the department and  
 35 surrender any registration card issued for the vehicle. If the weight in the declaration of weight of  
 36 the vehicle receiving the transferred registration exceeds that of the vehicle destroyed or with-  
 37 drawn, the owner must pay registration fees on the increased weight. This subsection applies to the  
 38 following vehicles:

39 (a) Motor trucks with a registration weight of more than [10,000] **8,000** pounds.

40 (b) Truck tractors with a registration weight of more than 8,000 pounds.

41 (c) Commercial buses.

42 (2) If a vehicle described under this subsection is destroyed accidentally so as to be incapable  
 43 of further operation, the person in whose name the vehicle is registered is entitled to a refund of  
 44 that portion of the fee applicable to the then unexpired portion of the registration period. Any reg-  
 45 istration card and registration plates issued for the vehicle must be surrendered to the department

1 for cancellation when application for refund is made under this section. Claims for refunds under  
 2 this section shall be filed and paid as provided for refunds under ORS 802.110. To qualify for a re-  
 3 fund under this section, a registration fee in excess of \$10 must have been paid for the vehicle, the  
 4 vehicle must have been registered in this state and the vehicle must be one of the following:

- 5 (a) A motor truck with a registration weight of more than [*10,000*] **8,000** pounds.
- 6 (b) A truck tractor with a registration weight of more than 8,000 pounds.
- 7 (c) A travel trailer or camper.

8 **SECTION 4.** ORS 805.110 is amended to read:

9 805.110. (1) In the absence of just cause for refusal, the Department of Transportation shall  
 10 provide for registration of any motor vehicle required to be registered by this state in a manner  
 11 consistent with this section for persons who qualify as former prisoners of war under this section.  
 12 The special registration provisions under this section are subject to all of the following:

- 13 (a) The fee to register or renew registration under this section shall be the regular registration  
 14 fee for the vehicle.
- 15 (b) The department shall not register a motor vehicle under this section if another vehicle  
 16 owned by the applicant or a member of the applicant's household has been registered under this  
 17 section.
- 18 (c) The department shall not register any commercial vehicle under this section or any motor  
 19 vehicle with a loaded weight in excess of [*10,000*] **8,000** pounds.

20 (2) A person is a former prisoner of war who qualifies for registration of a vehicle under this  
 21 section if the person, while serving in the active military, naval or air service of the United States  
 22 or any of its Allies, was forcibly detained or interned in line of duty:

- 23 (a) By an enemy government or its agents, or a hostile force, during a period of war; or
- 24 (b) By a foreign government or its agents, or a hostile force during a period other than a period  
 25 of war in which such person was held under circumstances which the department finds to have been  
 26 comparable to the circumstances under which persons have generally been forcibly detained or  
 27 interned by enemy governments during periods of war.

28 (3) The surviving spouse of a former prisoner of war who was issued registration under this  
 29 section may, upon the death of the former prisoner of war, continue to use the registration plates  
 30 on a motor vehicle or may keep the plates as a memento.

31 (4) The department may suspend or revoke any registration issued under this section if the de-  
 32 partment determines that the vehicle is owned by a person not qualified for registration under this  
 33 section or the vehicle is a kind not qualified for registration under this section.

34 **SECTION 5.** ORS 811.111 is amended to read:

35 811.111. (1) A person commits the offense of violating a speed limit if the person:

- 36 (a) Drives a vehicle on an interstate highway at a speed greater than 65 miles per hour or, if  
 37 a different speed is posted under ORS 810.180 (3), at a speed greater than the posted speed.
- 38 (b) Notwithstanding paragraph (a) of this subsection, drives any of the following vehicles at a  
 39 speed greater than 55 miles per hour on any highway or, if a different speed is posted under ORS  
 40 810.180 (3), at a speed greater than the posted speed:

- 41 (A) A motor truck [*with a gross vehicle weight rating of more than 10,000 pounds*] or a truck  
 42 tractor with a gross vehicle weight rating of more than 8,000 pounds.
- 43 (B) A school bus.
- 44 (C) A school activity vehicle.
- 45 (D) A worker transport bus.

1 (E) A bus operated for transporting children to and from church or an activity or function au-  
2 thorized by a church.

3 (F) Any vehicle used in the transportation of persons for hire by a nonprofit entity as provided  
4 in ORS 825.017 (9).

5 (c) Drives a vehicle or conveyance on any part of the ocean shore in this state at a speed  
6 greater than any of the following:

7 (A) Any designated speed for ocean shores that is established and posted under ORS 810.180.

8 (B) If no designated speed is posted under ORS 810.180, 25 miles per hour.

9 (d) Drives a vehicle upon a highway in any city at a speed greater than a speed posted by au-  
10 thority granted under ORS 810.180 or, if no speed is posted, the following:

11 (A) Fifteen miles per hour when driving on an alley.

12 (B) Twenty miles per hour in a business district.

13 (C) Twenty-five miles per hour in a public park.

14 (D) Twenty-five miles per hour on a highway in a residence district if the highway is not an  
15 arterial highway.

16 (E) Sixty-five miles per hour on an interstate highway.

17 (F) Fifty-five miles per hour in locations not otherwise described in this paragraph.

18 (e) Drives a vehicle in a school zone at a speed greater than 20 miles per hour if the school zone  
19 is:

20 (A) A segment of highway described in ORS 801.462 (1)(a) and:

21 (i) The school zone has a flashing light used as a traffic control device and operated under ORS  
22 811.106 and the flashing light indicates that children may be arriving at or leaving school; or

23 (ii) If the school zone does not have a flashing light used as a traffic control device, the person  
24 drives in the school zone between 7 a.m. and 5 p.m. on a day when school is in session.

25 (B) A crosswalk described in ORS 801.462 (1)(b) and:

26 (i) A flashing light used as a traffic control device and operated under ORS 811.106 indicates  
27 that children may be arriving at or leaving school; or

28 (ii) Children are present, as described in ORS 811.124.

29 (2) The offense described in this section, violating a speed limit, is punishable as provided in  
30 ORS 811.109.

31 **SECTION 6.** ORS 811.215 is amended to read:

32 811.215. ORS 811.210 does not apply to:

33 (1) Privately owned commercial vehicles, as defined in ORS 801.210. The exemption in this sub-  
34 section does not apply to any of the following:

35 (a) Vehicles commonly known as pickup trucks that have a combined weight of less than  
36 [10,000] **8,000** pounds.

37 (b) Motor carriers, as defined in ORS 825.005, when operating in interstate commerce.

38 (c) Vehicles designed and used for the transportation of 15 or fewer persons, including the  
39 driver, except that the operator of a vehicle described in this paragraph is not required to:

40 (A) Be properly secured with a safety belt or safety harness as required by ORS 811.210 if the  
41 operator is a taxicab operator; or

42 (B) Ensure that a passenger is properly secured with a child safety system as described in ORS  
43 811.210 (2)(a) and (b).

44 (2) Any vehicle not required to be equipped with safety belts or safety harnesses at the time the  
45 vehicle was manufactured, unless safety belts or safety harnesses have been installed in the vehicle.

1 (3) Any vehicle exempted by ORS 815.080 from requirements to be equipped upon sale with  
2 safety belts or safety harnesses.

3 (4) Any person for whom a certificate is issued by the Department of Transportation under ORS  
4 811.220.

5 (5) Any person who is a passenger in a vehicle if all seating positions in the vehicle are occu-  
6 pied by other persons.

7 (6) Any person who is being transported while in the custody of a police officer or any law  
8 enforcement agency.

9 (7) Any person who is delivering newspapers or mail in the regular course of work.

10 (8) Any person who is riding in an ambulance for the purpose of administering medical aid to  
11 another person in the ambulance, if being secured by a safety belt or safety harness would sub-  
12 stantially inhibit the administration of medical aid.

13 (9) Any person who is reading utility meters in the regular course of work.

14 (10) Any person who is employed to operate a vehicle owned by a mass transit district while the  
15 vehicle is being used for the transportation of passengers in the public transportation system of the  
16 district.

17 (11) Any person who is collecting solid waste or recyclable materials in the regular course of  
18 work.

19 **SECTION 7.** ORS 811.325 is amended to read:

20 811.325. (1) A person commits the offense of failure to keep a camper, trailer or truck in the  
21 right lane if the person is operating any of the vehicles described in this subsection and the person  
22 does not drive in the right lane of all roadways having two or more lanes for traffic proceeding in  
23 a single direction. This subsection applies to all of the following vehicles:

24 (a) Any camper.

25 (b) Any vehicle with a trailer.

26 (c) Any vehicle with a registration weight of [10,000] **8,000** pounds or more.

27 (2) This section does not require the described vehicles to be driven in the right lane under any  
28 of the following circumstances:

29 (a) When overtaking and passing another vehicle proceeding in the same direction under the  
30 rules governing this movement in ORS 811.410 to 811.425 when such movement can be made without  
31 interfering with the passage of other vehicles.

32 (b) When preparing to turn left.

33 (c) When reasonably necessary in response to emergency conditions.

34 (d) To avoid actual or potential traffic moving onto the right lane from an acceleration or  
35 merging lane.

36 (e) When necessary to follow traffic control devices that direct use of a lane other than the right  
37 lane.

38 (3) The offense described in this section, failure to keep camper, trailer or truck in the right  
39 lane, is a Class B traffic violation.

40 **SECTION 8. (1) The amendments to ORS 803.360 by section 1 of this 2007 Act apply to the**  
41 **registration or renewal of registration of vehicles on or after the effective date of this 2007**  
42 **Act.**

43 **(2) The amendments to ORS 803.430 by section 2 of this 2007 Act apply to the registration**  
44 **of vehicles on or after the effective date of this 2007 Act.**

45 **(3) The amendments to ORS 803.590 by section 3 of this 2007 Act apply to motor trucks**

1 **registered as provided under ORS 803.430 on or after the effective date of this 2007 Act.**

2 **(4) The amendments to ORS 805.110 by section 4 of this 2007 Act apply to the registration**  
3 **of vehicles on or after the effective date of this 2007 Act.**

4 **(5) The amendments to ORS 811.111, 811.215 and 811.325 by sections 5, 6 and 7 of this 2007**  
5 **Act apply to offenses committed on or after the effective date of this 2007 Act.**

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