

CONFERENCE COMMITTEE AMENDMENTS TO B-ENGROSSED SENATE BILL 108

June 23

Amended Summary

Creates offense of unsafe passing of person operating bicycle. Punishes by fine not exceeding \$360.

Clarifies that offense of following too closely applies to persons driving motor vehicles.

Creates offense of failure to inspect. Punishes by fine not exceeding \$180.

President Courtney:

Your Conference Committee to whom was referred B-engrossed Senate Bill 108, having had the same under consideration, respectfully reports it back with the recommendation that the Senate concur in the House amendments dated June 7 and that the bill be amended as follows and repassed.

1 On page 1 of the printed B-engrossed bill, line 2, after "811.485" insert "and 825.024".

2 In line 4, delete "Section 2 of this 2007 Act is" and insert "Sections 2 and 3 of this 2007 Act
3 are".

4 In line 12, delete "off the bicycle".

5 On page 2, after line 6, insert:

6 **"SECTION 3. (1) As used in this section, 'forward crossview mirror' means a mirror or
7 device that enables the driver of a motor truck to have a clear and unobstructed view of
8 persons or objects directly in front of the motor truck.**

9 **"(2) A person commits the offense of failure to inspect if the person operates a motor
10 truck with a combined weight of more than 10,000 pounds used in commercial delivery and
11 the person:**

12 **"(a) Operates the motor truck without a forward crossview mirror; or**

13 **"(b) Fails to visually inspect the intended path of the vehicle to verify that the path is
14 free of persons or objects before the person reenters the motor truck.**

15 **"(3) This section does not apply to:**

16 **"(a) Commercial buses;**

17 **"(b) Tow vehicles;**

18 **"(c) Vehicles owned or operated by the United States or by any governmental jurisdiction
19 within the United States except when owned or operated as a carrier of property for hire;**

20 **"(d) Vehicles owned or operated by a mass transit district created under ORS chapter
21 267; or**

22 **"(e) Vehicles used for solid waste or recycling collection.**

23 **"(4) The offense described in this section, failure to inspect, is a Class C traffic violation.**

24 **"SECTION 4. ORS 825.024 is amended to read:**

25 **"825.024. (1) Except as provided in ORS 825.026 or as otherwise provided in this section, this
26 chapter and section 3 of this 2007 Act do [does] not apply to a motor vehicle or combination owned**

1 or leased by a farmer who meets the qualifications under ORS 805.310 if the vehicle or combination:

2 “(a) Is used for transportation described under ORS 805.390.

3 “(b) Is used for transporting sand, gravel, rock, dirt, debris, cinders or asphaltic concrete mix
4 to a project of a district or corporation organized under ORS chapter 545, 547 or 554 when the
5 project is being constructed on land owned or leased by the farmer and the materials are directly
6 related to the construction of the project.

7 “(c) Has three or fewer permanent axles and is used in part to provide transportation services
8 for hire when such services relate to the farm of another and are services that the vehicle owner
9 could perform in the operation of the owner’s farm under farm vehicle registration issued under ORS
10 805.300 or with the farm device issued under ORS 805.400. For purposes of this paragraph, a single
11 drop axle is not a permanent axle.

12 “(d) Is a combination of a pickup truck and a trailer and is used in part to provide transporta-
13 tion services for hire when such services relate to the farm of another and are services that the
14 vehicle owner could perform in the operation of the owner’s farm under farm vehicle registration
15 issued under ORS 805.300 or with the farm device issued under ORS 805.400.

16 “(2) Vehicles or combinations that either are registered under ORS 805.300 or have a farm de-
17 vice issued under ORS 805.400 are subject to the provisions of ORS 825.210, 825.250 and 825.252 if
18 the vehicles or combinations:

19 “(a) Are operating in interstate commerce; or

20 “(b) Have a combined weight of more than 80,000 pounds.

21 “(3) Any farmer with a vehicle registered under ORS 805.300, or with a farm device issued under
22 ORS 805.400, may obtain a permit under ORS 825.102 that will authorize partial use of the vehicle
23 to provide transportation services for hire.

24 “(4) Any person issued a permit as described in subsection (3) of this section must comply with
25 record keeping requirements and reporting requirements that the Department of Transportation de-
26 termines necessary for the department to administer this section. The department may deny the ex-
27 emptions from provisions of this chapter provided to persons issued permits as described in
28 subsection (3) of this section if a person fails to comply with record keeping requirements.”.

29 In line 7, delete “3” and insert “5”.

30 /s/ Ginny Burdick
31 Senator

32 /s/ Floyd Prozanski
33 Senator

34 /s/ Jason Atkinson
35 Senator

36 /s/ Terry Beyer
37 Representative

38 /s/ George Gilman
39 Representative

40 /s/ Tobias Read
41 Representative
42
43