

Senate Bill 17

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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**.

Authorizes combination of three vehicles to be operated on highway under specified circumstances.

Creates vehicle combination endorsement.

Requires safety course in order to operate vehicle combination. Creates Vehicle Combination Safety Subaccount to fund safety course.

A BILL FOR AN ACT

1
2 Relating to combinations of vehicles; creating new provisions; amending ORS 802.110, 802.340,
3 807.035, 807.170, 807.370, 818.100 and 818.120; and appropriating money.

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

5 **SECTION 1.** ORS 818.100 is amended to read:

6 818.100. This section establishes exemptions from the maximum size limitations under ORS
7 818.080 and 818.090. The exemptions under this section are in addition to any exemptions under ORS
8 801.026. Operation in accordance with one of the exemptions described is not subject to ORS 818.090.
9 Exemptions are partial or complete as described in the following:

10 (1) The maximum size limits do not apply on any way, thoroughfare or place owned by a district
11 formed under ORS [*chapters*] **chapter** 545, 547[,], **or** 551 or a corporation formed under ORS chapter
12 554.

13 (2) The maximum size limits do not apply on any road or thoroughfare or property in private
14 ownership or any road or thoroughfare, other than a state highway or county road, used pursuant
15 to any agreement with any agency of the United States or with a licensee of such agency or both.

16 (3) The maximum size limits do not apply to any vehicle, combination of vehicles, article, ma-
17 chine or other equipment while being used by the federal government, the State of Oregon or any
18 county or incorporated city in the construction, maintenance or repair of public highways and at
19 the immediate location or site of such construction, maintenance or repair.

20 (4) The maximum size limits do not apply to vehicles while being used on the roads of a road
21 authority by mass transit districts for the purposes authorized under ORS 267.010 to 267.390, pro-
22 vided the size of the vehicles is approved by the road authority for the roads.

23 (5) Size limits are not applicable in any place and to the extent size limits are modified by a road
24 authority under ORS 810.060. The exemption under this subsection is subject to the limitations im-
25 posed by the road authority exercising the powers granted under ORS 810.060.

26 (6) Operations authorized to exceed size limits by a variance permit issued under ORS 818.200
27 are subject to the terms of the permit. It shall be a defense to any charge of violation of ORS 818.090
28 if the person so charged produces a variance permit issued under ORS 818.200 authorizing the op-

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 eration of the vehicle or combination of vehicles issued prior to and valid at the time of the offense.

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

6 (8) Rearview mirrors may exceed the maximum allowable width described in Table I of ORS
7 818.080 by a distance of not greater than five inches on each side of the vehicle.

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

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

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

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

19 (c) Exceed an overall length permitted by a rule, resolution or ordinance adopted under ORS
20 810.060.

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

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

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

34 (a) A travel trailer.

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

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

39 (15) A recreational vehicle may exceed the maximum width established under ORS 818.080 if the
40 excess width is attributable to an appurtenance that does not extend beyond the body of the vehicle
41 by more than four inches, or if a passenger-side awning, by more than six inches. As used in this
42 subsection, "appurtenance" means an appendage that is installed by a factory or a vehicle dealer
43 and is intended as an integral part of the recreational vehicle. "Appurtenance" does not include an
44 item temporarily affixed or attached to the exterior of a vehicle for the purpose of transporting the
45 item from one location to another. "Appurtenance" does not include an item that obstructs the

1 driver's rearward vision.

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

4 (b) A combination that includes a recreational vehicle that is not more than 45 feet long, when
 5 operating on Group 1 or Group 2 highways as designated by the Department of Transportation, may
 6 exceed the maximum length for vehicles in a combination established under ORS 818.080 if the
 7 combination is not more than 65 feet long.

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

11 (18) A motor vehicle transporter towing another vehicle, when operating on a Group 1 or Group
 12 2 highway as designated by the department, may exceed the maximum length established in ORS
 13 818.080 for a combination of vehicles if the overall length does not exceed 65 feet.

14 **(19) A combination of three vehicles may exceed the maximum length established in ORS**
 15 **818.080 for a combination of vehicles if:**

16 **(a) The combination is not more than 65 feet long; and**

17 **(b) The vehicles comply with ORS 818.120 (10).**

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

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

23 (1) The limit on the number of vehicles that may be operated in combination does not apply on
 24 any way, thoroughfare or place owned by a district formed under ORS [*chapters*] **chapter** 545,
 25 547[,] **or** 551 or a corporation formed under ORS chapter 554.

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

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

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

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

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

1 method.

2 (7) A combination of three implements of husbandry or two implements of husbandry hauled or
 3 towed by another vehicle may be operated on a highway without violation of the limits under ORS
 4 818.110.

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

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

11 **(10) A combination of three vehicles may be operated without violation of the limits un-**
 12 **der ORS 818.110 if the combination of vehicles is operated solely for personal use during**
 13 **daylight hours on a highway approved by the Department of Transportation by rule.**

14 **SECTION 3.** ORS 807.035 is amended to read:

15 807.035. This section describes the type of driving privileges granted by various endorsements
 16 issued by this state. The following endorsements grant the driving privileges described:

17 (1) A motorcycle endorsement authorizes a person to operate any motorcycle.

18 (2) A hazardous materials endorsement authorizes a person to operate a vehicle transporting
 19 hazardous materials.

20 (3) A tank vehicle endorsement authorizes a person to operate tank vehicles.

21 (4) A passenger endorsement authorizes a person to operate a vehicle that is designed to
 22 transport 16 or more persons, including the driver, but that is not a school bus.

23 (5) A school bus endorsement authorizes a person to operate a school bus if the person also
 24 holds a valid passenger endorsement.

25 (6) A double and triple trailer endorsement authorizes a person to operate a commercial motor
 26 vehicle with double and triple trailer combinations.

27 (7) A combined endorsement authorizes a person to operate a tank vehicle, transport hazardous
 28 materials and transport hazardous materials in a tank vehicle.

29 (8) A Class A farm endorsement authorizes a person to:

30 (a) Operate or tow any vehicle that can be operated by the holder of a Class A commercial
 31 driver license if the vehicle is:

32 (A) Controlled or operated by a farmer;

33 (B) Used to transport agricultural products, farm machinery or farm supplies to or from a farm;

34 (C) Not used in the operation of a common or contract motor carrier; and

35 (D) Used within 150 miles of the farmer's farm.

36 (b) Operate any vehicle described in paragraph (a) of this subsection that is transporting haz-
 37 ardous materials if the vehicle is placarded in accordance with law.

38 (c) Operate any vehicle described in paragraph (a) of this subsection that is a tank vehicle or
 39 a double trailer combination without holding a tank vehicle endorsement or a double and triple
 40 trailer endorsement.

41 (9) A Class B farm endorsement authorizes a person to:

42 (a) Operate or tow any vehicle that can be operated or towed by the holder of a Class B com-
 43 mercial driver license if the vehicle is:

44 (A) Controlled or operated by a farmer;

45 (B) Used to transport agricultural products, farm machinery or farm supplies to or from a farm;

1 (C) Not used in the operation of a common or contract motor carrier; and

2 (D) Used within 150 miles of the farmer's farm.

3 (b) Operate any vehicle described in paragraph (a) of this subsection that is transporting haz-
4 arduous materials if the vehicle is placarded in accordance with law.

5 (c) Operate any vehicle described in paragraph (a) of this subsection that is a tank vehicle
6 without holding a tank vehicle endorsement.

7 **(10) A vehicle combination endorsement authorizes a person to operate a combination**
8 **of three vehicles for personal use during daylight hours on a highway approved by the De-**
9 **partment of Transportation.**

10 **SECTION 4.** ORS 807.170 is amended to read:

11 807.170. (1) The Department of Transportation shall provide for the granting of driver license
12 endorsements in a manner consistent with this section.

13 (2) The department shall grant an endorsement to any person who complies with all of the fol-
14 lowing requirements:

15 (a) The person must hold a valid license other than a restricted Class C license issued under the
16 vehicle code.

17 (b) The person must successfully complete any tests and demonstrations referred to in ORS
18 807.070 that the department determines necessary to determine whether the applicant is qualified for
19 the type of endorsement sought. The actual demonstration required under ORS 807.070, if any, must
20 be performed in a vehicle that may be operated under the endorsement sought but that may not be
21 operated without the endorsement. Tests shall include, but are not limited to, those tests necessary
22 to determine whether the applicant:

23 (A) Has satisfactory knowledge of laws relating to operation under the type of endorsement
24 sought, defensive driving skills, the common causes of accidents involving vehicles operated under
25 the type of endorsement sought; and

26 (B) Can operate under the endorsement in a manner that will not jeopardize the safety of per-
27 sons or property.

28 (c) The appropriate fee under ORS 807.370 for the endorsement, including the fee for the Mo-
29 torcycle Safety Subaccount **or the Vehicle Combination Safety Subaccount**, must be paid.

30 (d) If the person is under 21 years of age and an applicant for a motorcycle endorsement, the
31 person must comply with ORS 807.175.

32 **(e) If the person is an applicant for a vehicle combination endorsement, the person must**
33 **comply with section 8 of this 2009 Act.**

34 (3) An endorsement granted under this section is subject to the following:

35 (a) It is part of the license upon which it is endorsed and is subject to any provisions applicable
36 to the endorsed license under the statutes of this state.

37 (b) It is valid only if the license endorsed is valid.

38 (c) The appropriate fee under ORS 807.370 must be paid upon renewal of the endorsement in
39 addition to any fee for renewal of the license endorsed.

40 (d) Except as provided under ORS 807.350 or as specifically provided under ORS 809.419, an
41 endorsement cannot be canceled, suspended or revoked separately from the license endorsed. When
42 an endorsed license is canceled, suspended or revoked, all endorsements on the license are subject
43 to the same cancellation, suspension or revocation as the license.

44 (4) Before the department may renew any license with a motorcycle endorsement, the applicant
45 shall pay the department the Motorcycle Safety Subaccount fee established under ORS 807.370 in

1 addition to any fee for renewal of the license.

2 **(5) Before the department may renew any license with a vehicle combination endorse-**
 3 **ment, the applicant shall pay the department the Vehicle Combination Safety Subaccount fee**
 4 **established under ORS 807.370 in addition to any fee for renewal of the license.**

5 **SECTION 5.** ORS 807.370, as amended by section 17, chapter 1, Oregon Laws 2008, is amended
 6 to read:

7 807.370. The following are the fees relating to the issuance and renewal of licenses, driver per-
 8 mits and endorsements:

9 (1) Disability golf cart driver permit fees under ORS 807.210, as follows:

10 (a) For issuance, \$43.

11 (b) For renewal fee under ORS 807.210, \$31.

12 (2) Emergency driver permit fee under ORS 807.220, \$22.50.

13 (3) Instruction driver permit fees under ORS 807.280, as follows:

14 (a) For issuance, \$22.50.

15 (b) For renewal, \$22.50.

16 (4)(a) License issuance fee for a Class C license, \$53.

17 (b) Fee to take the knowledge test for a Class C license, \$5.

18 (c) Fee to take the skills test for a Class C license, \$9.

19 (5) License issuance fee for a restricted Class C license, \$53.

20 (6) License issuance fee for a commercial driver license, whether or not the license contains
 21 endorsements, \$74.50.

22 (7) Test fees for a commercial driver license or permit:

23 (a) To take the knowledge test for a Class A commercial license or permit, \$10.

24 (b) To take the skills test for a Class A commercial license, \$70.

25 (c) To take the knowledge test for a Class B commercial license or permit, \$10.

26 (d) To take the skills test for a Class B commercial license, \$70.

27 (e) To take the knowledge test for a Class C commercial license or permit, \$10.

28 (f) To take the skills test for a Class C commercial license, \$70.

29 (8) Notwithstanding subsection (6) of this section, for issuance of a commercial driver license
 30 of any class when the Department of Transportation accepts a certificate of competency issued un-
 31 der ORS 807.080, \$40 in addition to the fee under subsection (6) of this section.

32 (9) Notwithstanding subsection (6) of this section, for original issuance of a school bus
 33 endorsement to a person who has a commercial driver license with a passenger endorsement:

34 (a) \$21; or

35 (b) \$61 if the department accepts a certificate of competency issued under ORS 807.080.

36 (10) For a farm endorsement, \$26.

37 (11) Test fees for the knowledge test for endorsements other than motorcycle, **vehicle combi-**
 38 **nation** and farm endorsements:

39 (a) For a hazardous materials endorsement, \$10.

40 (b) For a tank vehicle endorsement, \$10.

41 (c) For a passenger endorsement, \$10.

42 (d) For a double and triple trailer endorsement, \$10.

43 (e) For a school bus endorsement, \$10.

44 (12) Fee to take an airbrake knowledge test, \$10.

45 (13) Fee to take an airbrake skills test to remove an airbrake restriction, \$56.

1 (14) License renewal fee for a commercial driver license, \$54.50.

2 (15) License renewal fee for a Class C license, \$33.

3 (16) License or driver permit replacement fee under ORS 807.160, \$25.50.

4 (17) Original endorsement issuance fee under ORS 807.170 for a motorcycle endorsement, \$46,
5 in addition to any fees for the endorsed license.

6 **(18) Original endorsement issuance fee under ORS 807.170 for a vehicle combination**
7 **endorsement, \$46, in addition to any fees for the endorsed license.**

8 [(18)] (19) Special student driver permit fee under ORS 807.230, \$22.50.

9 [(19)] (20) Student Driver Training Fund eligibility fee under ORS 807.040 and 807.150, \$6.

10 [(20)] (21) Motorcycle Safety Subaccount fee as follows:

11 (a) Upon original issuance of motorcycle endorsements under ORS 807.170, \$28.

12 (b) Upon renewal of a license with a motorcycle endorsement under ORS 807.170, \$28.

13 **(22) Vehicle Combination Safety Subaccount fee as follows:**

14 **(a) Upon original issuance of vehicle combination endorsements under ORS 807.170, \$28.**

15 **(b) Upon renewal of a license with a vehicle combination endorsement under ORS 807.170,**
16 **\$28.**

17 [(21)] (23) Probationary driver permit application fee under ORS 807.270, \$50.

18 [(22)] (24) Hardship driver permit application fee under ORS 807.240, \$50.

19 [(23)] (25) Fee for reinstatement of revoked driving privileges under ORS 809.390, \$75.

20 [(24)] (26) Fee for reinstatement of suspended driving privileges under ORS 809.380, \$75.

21 [(25)] (27) Fee for reinstatement of right to apply for driving privileges after a delay under ORS
22 809.280 (10) (1997 Edition), the same as the fee for reinstatement of suspended driving privileges.

23 [(26)] (28) Fee for a special limited vision condition learner's permit under ORS 807.359, \$13.

24 **SECTION 6.** ORS 807.370, as amended by sections 17 and 19, chapter 1, Oregon Laws 2008, is
25 amended to read:

26 807.370. The following are the fees relating to the issuance and renewal of licenses, driver per-
27 mits and endorsements:

28 (1) Disability golf cart driver permit fees under ORS 807.210, as follows:

29 (a) For issuance, \$44.

30 (b) For renewal fee under ORS 807.210, \$32.

31 (2) Emergency driver permit fee under ORS 807.220, \$23.50.

32 (3) Instruction driver permit fees under ORS 807.280, as follows:

33 (a) For issuance, \$23.50.

34 (b) For renewal, \$23.50.

35 (4)(a) License issuance fee for a Class C license, \$54.

36 (b) Fee to take the knowledge test for a Class C license, \$5.

37 (c) Fee to take the skills test for a Class C license, \$9.

38 (5) License issuance fee for a restricted Class C license, \$54.

39 (6) License issuance fee for a commercial driver license, whether or not the license contains
40 endorsements, \$75.50.

41 (7) Test fees for a commercial driver license or permit:

42 (a) To take the knowledge test for a Class A commercial license or permit, \$10.

43 (b) To take the skills test for a Class A commercial license, \$70.

44 (c) To take the knowledge test for a Class B commercial license or permit, \$10.

45 (d) To take the skills test for a Class B commercial license, \$70.

- 1 (e) To take the knowledge test for a Class C commercial license or permit, \$10.
- 2 (f) To take the skills test for a Class C commercial license, \$70.
- 3 (8) Notwithstanding subsection (6) of this section, for issuance of a commercial driver license
- 4 of any class when the Department of Transportation accepts a certificate of competency issued un-
- 5 der ORS 807.080, \$40 in addition to the fee under subsection (6) of this section.
- 6 (9) Notwithstanding subsection (6) of this section, for original issuance of a school bus
- 7 endorsement to a person who has a commercial driver license with a passenger endorsement:
- 8 (a) \$21; or
- 9 (b) \$61 if the department accepts a certificate of competency issued under ORS 807.080.
- 10 (10) For a farm endorsement, \$26.
- 11 (11) Test fees for the knowledge test for endorsements other than motorcycle, **vehicle combi-**
- 12 **nation** and farm endorsements:
- 13 (a) For a hazardous materials endorsement, \$10.
- 14 (b) For a tank vehicle endorsement, \$10.
- 15 (c) For a passenger endorsement, \$10.
- 16 (d) For a double and triple trailer endorsement, \$10.
- 17 (e) For a school bus endorsement, \$10.
- 18 (12) Fee to take an airbrake knowledge test, \$10.
- 19 (13) Fee to take an airbrake skills test to remove an airbrake restriction, \$56.
- 20 (14) License renewal fee for a commercial driver license, \$55.50.
- 21 (15) License renewal fee for a Class C license, \$34.
- 22 (16) License or driver permit replacement fee under ORS 807.160, \$26.50.
- 23 (17) Original endorsement issuance fee under ORS 807.170 for a motorcycle endorsement, \$46,
- 24 in addition to any fees for the endorsed license.
- 25 **(18) Original endorsement issuance fee under ORS 807.170 for a vehicle combination**
- 26 **endorsement, \$46, in addition to any fees for the endorsed license.**
- 27 [(18)] **(19)** Special student driver permit fee under ORS 807.230, \$23.50.
- 28 [(19)] **(20)** Student Driver Training Fund eligibility fee under ORS 807.040 and 807.150, \$6.
- 29 [(20)] **(21)** Motorcycle Safety Subaccount fee as follows:
- 30 (a) Upon original issuance of motorcycle endorsements under ORS 807.170, \$28.
- 31 (b) Upon renewal of a license with a motorcycle endorsement under ORS 807.170, \$28.
- 32 **(22) Vehicle Combination Safety Subaccount fee as follows:**
- 33 **(a) Upon original issuance of vehicle combination endorsements under ORS 807.170, \$28.**
- 34 **(b) Upon renewal of a license with a vehicle combination endorsement under ORS 807.170,**
- 35 **\$28.**
- 36 [(21)] **(23)** Probationary driver permit application fee under ORS 807.270, \$50.
- 37 [(22)] **(24)** Hardship driver permit application fee under ORS 807.240, \$50.
- 38 [(23)] **(25)** Fee for reinstatement of revoked driving privileges under ORS 809.390, \$75.
- 39 [(24)] **(26)** Fee for reinstatement of suspended driving privileges under ORS 809.380, \$75.
- 40 [(25)] **(27)** Fee for reinstatement of right to apply for driving privileges after a delay under ORS
- 41 809.280 (10) (1997 Edition), the same as the fee for reinstatement of suspended driving privileges.
- 42 [(26)] **(28)** Fee for a special limited vision condition learner's permit under ORS 807.359, \$13.
- 43 [(27)(a)] **(29)(a)** License issuance fee for a Class C limited term license, \$23.
- 44 (b) Fee to take the knowledge test for a Class C limited term license, \$5.
- 45 (c) Fee to take the skills test for a Class C limited term license, \$9.

1 ~~[(28)]~~ **(30)** License issuance fee for a restricted Class C limited term license, \$23.

2 ~~[(29)]~~ **(31)** License issuance fee for a limited term commercial driver license, whether or not the
 3 license contains endorsements, \$45.

4 ~~[(30)]~~ **(32)** License renewal fee for a limited term commercial driver license, \$14.

5 ~~[(31)]~~ **(33)** License renewal fee for a Class C limited term license, \$8.

6 ~~[(32)]~~ **(34)** Limited term license or limited term driver permit replacement fee under ORS 807.160,
 7 \$26.50.

8 ~~[(33)]~~ **(35)** Limited term Student Driver Training Fund eligibility fee under ORS 807.040 and
 9 807.150, \$2.

10 **SECTION 7.** Sections 8 and 9 of this 2009 Act are added to and made a part of the Oregon
 11 Vehicle Code.

12 **SECTION 8.** The Department of Transportation may not issue a vehicle combination
 13 endorsement to any person unless the person shows to the satisfaction of the department
 14 that the person has successfully completed a vehicle combination education course estab-
 15 lished by the department under section 9 of this 2009 Act. This requirement is in addition
 16 to any other requirement for the endorsement.

17 **SECTION 9.** (1) In addition to any duties under ORS 802.310, the Department of Trans-
 18 portation, in consultation with the Transportation Safety Committee, shall establish a vehi-
 19 cle combination safety program that complies with this section to the extent moneys are
 20 available for the program from the Vehicle Combination Safety Subaccount under ORS
 21 802.340. The program established may include the following:

22 (a) Vehicle combination safety promotion and public education.

23 (b) The development of training sites for courses approved by the department to teach
 24 safe and proper operation of combinations of three vehicles.

25 (c) Classroom instruction and actual driving instruction necessary to teach safe and
 26 proper operation of combinations of three vehicles.

27 (d) The development of a mobile training unit.

28 (e) The acquisition of films and equipment that may be loaned to the public for the en-
 29 couragement of vehicle combination safety.

30 (f) A fee charged by the department for services provided under the program. Any fee
 31 charged by the department under this paragraph shall be established by rule and may not
 32 be in an amount that will discourage persons from participating in safety programs offered
 33 by the department under this section.

34 (g) Advice and assistance, including monetary assistance, for vehicle combination safety
 35 programs operated by government or nongovernment organizations.

36 (h) Other education or safety programs the department determines will help promote the
 37 safe operation of vehicle combinations, promote safe and lawful driving habits, assist in ac-
 38 cident prevention and reduce the need for intensive highway policing.

39 (2) Subject to the State Personnel Relations Law under ORS chapter 240, the department
 40 shall employ such employees as the department determines necessary to carry out the pur-
 41 poses of this section to advise and assist vehicle combination safety programs in this state.

42 (3) The department may provide for the performance of training and other functions of
 43 the program established under this section by contracting with any private or public organ-
 44 izations or entities the department determines appropriate to achieve the purposes of this
 45 section. The organizations the department may contract with under this subsection include,

1 **but are not limited to, nonprofit private organizations, private organizations that are oper-**
 2 **ated for profit, public or private schools, community colleges or public agencies or political**
 3 **subdivision.**

4 **SECTION 10.** ORS 802.340 is amended to read:

5 802.340. (1) The Transportation Safety Account is established in the General Fund of the State
 6 Treasury. Except as provided in subsection (2) of this section, all money credited to the account
 7 established under this section is appropriated continuously for and shall be used by the Department
 8 of Transportation to carry out the following purposes:

9 (a) Payment of the per diem, travel and other expenses of the Transportation Safety Committee.

10 (b) Payment of the expenses of the department in performance of its duties related to transpor-
 11 tation safety.

12 (c) Functions or programs established under ORS 802.315.

13 (2) There is established in the account created under subsection (1) of this section a subaccount
 14 to be known as the Motorcycle Safety Subaccount. The subaccount shall consist of moneys credited
 15 to the subaccount under ORS 807.370 and as otherwise provided by law. The subaccount shall be
 16 accounted for separately. Moneys in the subaccount are continuously appropriated to the depart-
 17 ment for and shall be used to carry out the purposes provided under ORS 802.320.

18 **(3) There is established in the account created under subsection (1) of this section a**
 19 **subaccount to be known as the Vehicle Combination Safety Subaccount. The subaccount**
 20 **shall consist of moneys credited to the subaccount under ORS 807.370 and as otherwise pro-**
 21 **vided by law. The subaccount shall be accounted for separately. Moneys in the subaccount**
 22 **are continuously appropriated to the department for and shall be used to carry out the pur-**
 23 **poses provided under section 9 of this 2009 Act.**

24 **SECTION 11.** ORS 802.110 is amended to read:

25 802.110. Any procedures the Department of Transportation establishes for financial adminis-
 26 tration of those functions of the department dealing with driver and motor vehicle services and for
 27 the disposition and payment of moneys it receives from the provision of driver and motor vehicle
 28 services shall comply with all of the following:

29 (1) The department shall deposit all moneys it receives related to driver and motor vehicle ser-
 30 vices in the Department of Transportation Driver and Motor Vehicle Suspense Account for approved
 31 expenses and disbursements before payment of general administrative expenses of the department related
 32 to the provision of driver and motor vehicle services. Notwithstanding this subsection, the depart-
 33 ment may return a bank check or money order when received in incorrect or incomplete form or
 34 when not accompanied by the proper application.

35 (2) The department shall pay the following approved expenses and disbursements from the Depart-
 36 ment of Transportation Driver and Motor Vehicle Suspense Account before payment of the general
 37 administrative expenses of the department related to driver and motor vehicle services:

38 (a) Refunds authorized by any statute administered by the department when such refunds are
 39 approved by the department.

40 (b) Amounts transferred to the State Treasurer under ORS 319.410 (2) for the purpose of carry-
 41 ing out the state aviation laws, amounts transferred to the Boating Safety, Law Enforcement and
 42 Facility Account by ORS 319.415, amounts transferred to the State Aviation Account by ORS 319.417
 43 and amounts transferred to the Department of Transportation Operating Fund by ORS 184.643.

44 (c) After deduction of expenses of collection, transfer and administration, the department shall
 45 pay moneys collected from the Student Driver Training Fund eligibility fee under ORS 807.040,

1 807.150 and 807.370 to the State Treasurer for deposit in the Student Driver Training Fund. The
2 moneys deposited in the Student Driver Training Fund under this paragraph are continuously ap-
3 propriated to the department for the following purposes:

4 (A) To the extent of not more than 10 percent of the amount transferred into the Student Driver
5 Training Fund in any biennium, to pay the expenses of administering ORS 336.795, 336.800, 336.805,
6 336.810 (2) and 336.815.

7 (B) The remaining moneys, for reimbursing school districts as provided under ORS 336.805.

8 (d) After deduction of expenses of collection, transfer and administration, the department shall
9 pay moneys collected for the Motorcycle Safety Subaccount under ORS 807.170 to the State Treas-
10 urer for deposit in the Motorcycle Safety Subaccount of the Transportation Safety Account. Moneys
11 paid to the State Treasurer under this paragraph shall be used for the purpose of ORS 802.320.

12 (e) After deduction of expenses for the administration of the issuance of customized registration
13 plates under ORS 805.240, the department shall place moneys received from the sale of customized
14 registration plates in the Passenger Rail Transportation Account. The moneys placed in the account
15 are continuously appropriated to the department and shall be used for the payment of expenses in-
16 curred in administering passenger rail programs.

17 (f) After deduction of expenses of collection, transfer and administration, the department shall
18 pay moneys from any registration fees established by the governing bodies of counties or a district,
19 as defined in ORS 801.237, under ORS 801.041 or 801.042 to the appropriate counties or districts.
20 The department shall make the payments on at least a monthly basis unless another basis is estab-
21 lished by the intergovernmental agreements required by ORS 801.041 and 801.042 between the de-
22 partment and the governing bodies of a county or a district.

23 (g) After deducting the expenses of the department in collecting and transferring the moneys,
24 the department shall make disbursements and payments of moneys collected for or dedicated to any
25 other purpose or fund except the State Highway Fund, including but not limited to, payments to the
26 Department of Transportation Operating Fund established by ORS 184.642 (1) and (2).

27 **(h) After deduction of expenses of collection, transfer and administration, the depart-**
28 **ment shall pay moneys collected for the Vehicle Combination Safety Subaccount under ORS**
29 **807.170 to the State Treasurer for deposit in the Vehicle Combination Safety Subaccount of**
30 **the Transportation Safety Account. Moneys paid to the State Treasurer under this paragraph**
31 **shall be used for the purposes of section 9 of this 2009 Act.**

32 (3) The department shall refund from the Department of Transportation Driver and Motor Ve-
33 hicle Suspense Account any excess or erroneous payment to a person who made the payment or to
34 the person's legal representative when the department determines that money has been received by
35 it in excess of the amount legally due and payable or that it has received money in which it has
36 no legal interest. Refunds payable under this subsection are continuously appropriated for such
37 purposes in the manner for payment of refunds under this section. If the department determines that
38 a refund is due, the department may refund the amount of excess or erroneous payment without a
39 claim being filed. Except as provided in ORS 319.290, 319.375, 319.820 and 319.831, any claim for a
40 refund from the department must be filed within 12 months after the date payment is received by
41 the department.

42 (4) After payment of those expenses and disbursements approved for payment before general admin-
43 istrative expenses related to the provision of driver and motor vehicle services, the department shall
44 pay from the Department of Transportation Driver and Motor Vehicle Services Administrative Ac-
45 count its general administrative expenses incurred in the administration of any law related to driver

1 and motor vehicle services that the department is charged with administering and any other ex-
2 penses the department is permitted by law to pay from moneys held by the department before
3 transfer of the moneys to the State Highway Fund. The following limitations apply to payments of
4 administrative expenses under this subsection:

5 (a) The department shall make payment of the expenses of administering the issuance of winter
6 recreation parking permits under ORS 811.595 from those moneys received from issuing the permits
7 or from moneys received under ORS 153.630 from violation of the requirement to have the permit.

8 (b) The department shall pay its expenses for administering the registration and titling of
9 snowmobiles under ORS 821.060 and 821.100 from the fees collected from administering those
10 sections. The department shall also pay its expenses for the administration of the snowmobile driver
11 permit program under ORS 821.160 from the moneys otherwise described in this paragraph.

12 (c) The department shall pay its expenses for determining the amount of money to be withheld
13 under ORS 802.120 from the fees collected for administering the registration and titling of
14 snowmobiles. The amount used to pay expenses under this paragraph shall be such sum as necessary
15 but shall not exceed \$10,000 during each biennium.

16 (d) The department shall retain not more than \$15,000 in any biennium for the expenses of col-
17 lecting and transferring moneys to the Student Driver Training Fund under this section and for the
18 administration of ORS 336.810 (3).

19 (5) Except as otherwise provided in this subsection, the department shall transfer to the State
20 Highway Fund the moneys not used for payment of the general administrative expenses or for ap-
21 proved expenses and disbursements before payment of general administrative expenses. The following
22 apply to this subsection:

23 (a) If the Director of Transportation certifies the amount of principal or interest of highway
24 bonds due on any particular date, the department may make available for the payment of such in-
25 terest or principal any sums that may be necessary to the extent of moneys on hand available for
26 the State Highway Fund regardless of the dates otherwise specified under this section.

27 (b) Notwithstanding paragraph (a) of this subsection the department shall not make available for
28 purposes described in paragraph (a) of this subsection any moneys described in ORS 367.605 when
29 there are not sufficient amounts of such moneys in the State Highway Fund for purposes of bonds
30 issued under ORS 367.615.

31 (6) Notwithstanding any other provision of this section, the following moneys shall be trans-
32 ferred to the State Highway Fund at the times described:

33 (a) Moneys received under ORS 802.120 and not used for the payment of administrative expenses
34 of the department shall be transferred before July 31 of each year.

35 (b) Moneys received from the registration of snowmobiles that is not to be used for payment of
36 administrative expenses of the department shall be transferred within 30 days after the end of the
37 quarter.

38 (c) Moneys received from the issuance of winter recreation parking permits or under ORS
39 153.630 from violation of the requirement to have a winter recreation parking permit and that is not
40 used for payment of administrative expenses of the department shall be transferred within 30 days
41 after the end of the quarter.

42 (7) The following moneys transferred to the State Highway Fund under this section may be used
43 only for the purposes described as follows:

44 (a) Moneys collected from the issuance of winter recreation parking permits or under ORS
45 153.630 for violation of the requirement to have a winter recreation parking permit, and the interest

1 on such moneys, shall be used to enforce the requirement for winter recreation parking permits and
2 to remove snow from winter recreation parking locations designated under ORS 810.170. Any re-
3 maining moneys shall, upon approval by the Winter Recreation Advisory Committee:

4 (A) Be used to maintain parking locations developed with moneys obtained under ORS 810.170
5 and snowmobile facilities that are parking lots developed with moneys as provided under this sec-
6 tion;

7 (B) Be used to develop additional winter recreation parking locations under ORS 810.170; or

8 (C) Be carried over to be used in subsequent years for the purposes and in the manner described
9 in this paragraph.

10 (b) Moneys received from the registration of snowmobiles or under ORS 802.120 shall be used
11 for the development and maintenance of snowmobile facilities, including the acquisition of land
12 therefor by any means other than the exercise of eminent domain. Moneys received under ORS
13 802.120 may also be used for the enforcement of ORS 811.590, 821.100 to 821.120, 821.140, 821.150,
14 821.190, 821.210 and 821.240 to 821.290.

15 (8) The department shall maintain the Revolving Account for Emergency Cash Advances sepa-
16 rate from other moneys described in this section. From the account, the department may pay for the
17 taking up of dishonored remittances returned by banks or the State Treasurer and for emergency
18 cash advances to be subsequently reimbursed. The account shall be used only as a revolving fund.
19 The department shall at all times be accountable for the amount of the account, either in cash or
20 unreimbursed items and advances. The moneys in the account are continuously appropriated for the
21 purposes of this subsection. The amount of the account under this subsection shall not exceed
22 \$40,000 from moneys received by the department in the performance of its driver and motor vehicle
23 services functions and moneys otherwise appropriated for purposes of this subsection. The account
24 under this subsection shall be kept on deposit with the State Treasurer. The State Treasurer is au-
25 thorized to honor and pay all properly signed and indorsed checks or warrants drawn against the
26 account.

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