

D R A F T

SUMMARY

Removes limitation on width of rearview mirrors used on vehicles.

A BILL FOR AN ACT

1
2 Relating to rearview mirrors; creating new provisions; and amending ORS
3 818.100.

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 limi-
7 tations under ORS 818.080 and 818.090. The exemptions under this section
8 are in addition to any exemptions under ORS 801.026. Operation in accord-
9 ance with one of the exemptions described is not subject to ORS 818.090.
10 Exemptions are partial or complete as described in the following:

11 (1) The maximum size limits do not apply on any way, thoroughfare or
12 place owned by a district formed under ORS chapters 545, 547, 551 or a cor-
13 poration formed under ORS chapter 554.

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

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

1 (4) The maximum size limits do not apply to vehicles while being used on
2 the roads of a road authority by mass transit districts for the purposes au-
3 thorized under ORS 267.010 to 267.390, provided the size of the vehicles is
4 approved by the road authority for the roads.

5 (5) Size limits are not applicable in any place and to the extent size limits
6 are modified by a road authority under ORS 810.060. The exemption under
7 this subsection is subject to the limitations imposed by the road authority
8 exercising the powers granted under ORS 810.060.

9 (6) Operations authorized to exceed size limits by a variance permit issued
10 under ORS 818.200 are subject to the terms of the permit. It shall be a de-
11 fense to any charge of violation of ORS 818.090 if the person so charged
12 produces a variance permit issued under ORS 818.200 authorizing the opera-
13 tion of the vehicle or combination of vehicles issued prior to and valid at the
14 time of the offense.

15 (7) Pneumatic tires made of elastic material, flexible mud flaps, flexible
16 fenders, safety accessories such as clearance lights, rub rails and binder
17 chains, and appurtenances such as door handles, door hinges and turning
18 signal brackets may exceed the maximum allowable width described in Table
19 I of ORS 818.080 by a distance not greater than two inches on each side of
20 the vehicle.

21 (8) Rearview mirrors may exceed the maximum allowable width described
22 in Table I of ORS 818.080 [*by a distance of not greater than five inches on each*
23 *side of the vehicle*].

24 (9) Notwithstanding the maximum allowable length of vehicles and loads
25 on vehicles under Table I of ORS 818.080, public utilities, telecommuni-
26 cations utilities, people's utilities districts and cooperative rural
27 electrification districts or common or contract carriers when acting as agent
28 for or on direct orders of such a utility or district, for the purpose of
29 transporting and hauling poles, piling or structures used or to be used in
30 connection with their business, may use and operate upon any highway of
31 this state any combination of vehicles having an overall length including

1 load the total length of which is not in excess of 80 feet unless an emergency
2 exists.

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

- 5 (a) Extend beyond the rear of the semitrailer by more than five feet;
- 6 (b) Extend forward of the rear of the cab of the towing vehicle; or
- 7 (c) Exceed an overall length permitted by a rule, resolution or ordinance
8 adopted under ORS 810.060.

9 (11) The load upon a truck tractor and pole trailer may exceed the maxi-
10 mum length established under ORS 818.080 if the overall length does not
11 exceed that authorized by a rule, resolution or ordinance adopted under ORS
12 810.060.

13 (12) None of the size limits described under ORS 818.080 except the max-
14 imum limit of allowable extension beyond the last axle of a combination of
15 vehicles under Table II apply to implements of husbandry hauled, towed or
16 moved upon any highway not a part of the Federal Interstate Highway Sys-
17 tem if the movement is incidental to a farming operation and the owner of
18 the implement of husbandry is engaged in farming or if the owner is hired
19 by or under contract to a farmer to perform agricultural activities.

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

- 25 (a) A travel trailer.
- 26 (b) Any trailer designed to carry a single nonmotorized aircraft.

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

30 (15) A recreational vehicle may exceed the maximum width established
31 under ORS 818.080 if the excess width is attributable to an appurtenance that

1 does not extend beyond the body of the vehicle by more than four inches,
2 or if a passenger-side awning, by more than six inches. As used in this sub-
3 section, “appurtenance” means an appendage that is installed by a factory
4 or a vehicle dealer and is intended as an integral part of the recreational
5 vehicle. “Appurtenance” does not include an item temporarily affixed or at-
6 tached to the exterior of a vehicle for the purpose of transporting the item
7 from one location to another. “Appurtenance” does not include an item that
8 obstructs the driver’s rearward vision.

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

11 (b) A combination that includes a recreational vehicle that is not more
12 than 45 feet long, when operating on Group 1 or Group 2 highways as des-
13 ignated by the Department of Transportation, may exceed the maximum
14 length for vehicles in a combination established under ORS 818.080 if the
15 combination is not more than 65 feet long.

16 (17) A motor vehicle transporter may exceed the maximum lengths estab-
17 lished in ORS 818.080 for a single vehicle, a vehicle in a combination of ve-
18 hicles and a load if the length of the single vehicle, vehicle in a combination
19 or load does not exceed 45 feet.

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

24 (19) A school bus or school activity vehicle may exceed the maximum
25 length established under ORS 818.080 if the vehicle is not more than 45 feet
26 long.

27 **SECTION 2. The amendments to ORS 818.100 by section 1 of this**
28 **2013 Act apply to violations occurring on or after the effective date of**
29 **this 2013 Act.**

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