



DATE: April 26, 2017

TO: Senate Committee on Business and Transportation

FROM: Amy Joyce, Legislative Liaison

SUBJECT: HB 2291-A, Motor Carrier efficiencies and federal compliance

INTRODUCTION

House Bill 2291-A proposes two changes to the law regulating commercial motor vehicles on Oregon's highways. First, the bill allows motor carrier enforcement officers to cite truckers who have obscured license plates. Second, the bill modernizes the weight determination for commercial passenger buses.

BACKGROUND

The Motor Carrier Transportation Division of ODOT enforces safety standards, size and weight limits, and collects registration and weight-mile tax, for commercial motor vehicles on Oregon's highways primarily at six ports of entry and 83 weigh stations across the state. Nearly all of the state laws setting the safety standards for heavy trucks in interstate commerce are required by federal regulation. Failure to comply with federal regulations can result in loss of federal funds, and disqualification from particular grant funding. While enforcing the federal and state requirements for trucking, the Motor Carrier Transportation Division constantly strives to find efficiencies in the performance of its duties.

WHAT THE BILL DOES

The bill allows ODOT regulators to issue citations for the particular offense of obscuring license plates. Motor carrier enforcement officers (MCEOs), at Oregon's ports of entry and weigh stations, have authority to cite drivers for nearly all violations of the vehicle code relevant to commercial motor vehicles and their drivers. The one violation for which they lack authority to cite is obscuring license plates. The practical impact is that truckers may lack incentive to ensure their license plates are not hidden behind grills, covered by mud, or otherwise obscured. In addition to the law enforcement need to be able to see license plates, MCEOs' ability to move trucks through the stations very quickly is hampered when they must stop a line of trucks, exit their station and get close to the truck to find the plate number. The measure gives enforcement authority to the MCEOs, which is expected to deter most offenders and therefore increase operational efficiency.

The second element of the bill modernizes the weight calculation for commercial buses for the sake of registration and weight-mile tax, so that it matches the method used for all other heavy vehicles. The existing method is an archaic formula based on the number of seats on the bus and an assumed weight of the individual who would fill each seat. This can result in underpayment relative to all other heavy vehicle users. Under the measure buses would be subject to the same weight method as all other heavy vehicle types: the gross vehicle weight rating (GVWR) of the

vehicle. This achieves fairness among all heavy vehicle owners, and efficiency for ODOT staff who would then calculate all such fees and taxes in the same manner regardless of this one vehicle type.

SUMMARY

The bill makes two small changes. By providing citation authority to motor carrier enforcement officers, trucking companies and drivers will be encouraged to legally display plates and therefore improve efficiency. Removing the archaic method of calculating the weight of a single type of heavy vehicle will make the calculation uniform across classes of vehicles making fees and taxes more equitable, and the agency will improve efficiency.