

Enrolled
Senate Bill 107

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CHAPTER

AN ACT

Relating to exemptions to offense of illegal stopping, standing or parking; creating new provisions; and amending ORS 811.550 and 811.560.

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

SECTION 1. ORS 811.560 is amended to read:

811.560. This section provides exemptions from ORS 811.550 and 811.555. The following exemptions are applicable as provided under ORS 811.550:

(1) When applicable, this subsection exempts school buses or worker transport buses stopped on a roadway to load or unload workers or children, providing that the flashing school bus safety lights on the bus are operating.

(2) When applicable, this subsection exempts vehicles stopped, standing or parked momentarily to pick up or discharge a passenger.

(3) When applicable, this subsection exempts vehicles stopped, standing or parked momentarily for the purpose of and while actually engaged in loading or unloading property or passengers.

(4) When applicable, this subsection exempts vehicles owned or operated by the state, a county or city when stopping, standing or parking is necessary to perform maintenance or repair work on the roadway.

(5) When applicable, this subsection exempts vehicles from the prohibitions and penalties when the driver's disregard of the prohibitions is necessary to avoid conflict with other traffic.

(6) When applicable, this subsection exempts vehicles acting in compliance with law or at the direction of a police officer or a traffic control device.

(7) When applicable, this subsection exempts the driver of a vehicle that is disabled in such manner and to such extent that the driver cannot avoid stopping or temporarily leaving the disabled vehicle in a prohibited position.

(8) When applicable, this subsection exempts vehicles owned or operated by the State Department of Fish and Wildlife when stopping, standing or parking is necessary to enable employees to release fish.

(9) When applicable, this subsection exempts vehicles momentarily stopped to allow oncoming traffic to pass before making a right-hand or left-hand turn or momentarily stopped in preparation for or while negotiating an exit from the road.

(10) When applicable, this subsection exempts commercial vehicles that are stopped, standing or parked when stopping, standing or parking is necessary to engage in any activity associated with

the collection of solid waste, recyclable material or yard debris, as those terms are defined in ORS 459.005.

(11) When applicable, this subsection exempts vehicles owned or operated by a natural gas utility when stopping, standing or parking to investigate or repair a natural gas leak if:

(a) Immediate investigation is necessary; and

(b) The natural gas utility vehicle displays a sign denoting emergency responder status to investigate or respond to an emergency.

(12)(a) When applicable, this subsection exempts vehicles owned or operated by an electric utility when stopping, standing or parking is necessary to respond to an emergency if the vehicle is identified as an electric utility vehicle and:

(A) There is also an emergency vehicle at the location; or

(B) The electric utility is investigating a downed or arcing utility line.

(b) As used in this subsection, "electric utility" means an electric company or consumer-owned utility that is engaged in the business of distributing electricity to retail electricity consumers in this state.

SECTION 2. ORS 811.550 is amended to read:

811.550. This section establishes places where stopping, standing and parking a vehicle are prohibited for purposes of the penalties under ORS 811.555. Except as provided under an exemption in ORS 811.560, a person is in violation of ORS 811.555 if a person parks, stops or leaves standing a vehicle in any of the following places:

(1) Upon a roadway outside a business district or residence district, whether attended or unattended, when it is practicable to stop, park or leave the vehicle standing off the roadway. Exemptions under ORS 811.560 (1), (7), [and] (9), **(11) and (12)** are applicable to this subsection.

(2) On a shoulder, whether attended or unattended, unless a clear and unobstructed width of the roadway opposite the standing vehicle is left for the passage of other vehicles and the standing vehicle is visible from a distance of 200 feet in each direction upon the roadway or the person, at least 200 feet in each direction upon the roadway, warns approaching motorists of the standing vehicle by use of flaggers, flags, signs or other signals. Exemptions under ORS 811.560 (9), **(11) and (12)** are applicable to this subsection.

(3) On the roadway side of a vehicle stopped or parked at the edge or curb of a highway. Exemptions under ORS 811.560 (7), **(11) and (12)** are applicable to this subsection.

(4) On a sidewalk. Exemptions under ORS 811.560 (4) to (7), **(11) and (12)** are applicable to this subsection.

(5) Within an intersection. Exemptions under ORS 811.560 (4) to (7), **(11) and (12)** are applicable to this subsection.

(6) On a crosswalk. Exemptions under ORS 811.560 (4) to (7), **(11) and (12)** are applicable to this subsection.

(7) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs and markings. For purposes of this subsection the safety zone must be an area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. Exemptions under ORS 811.560 (4) to (7), **(11) and (12)** are applicable to this subsection.

(8) Alongside or opposite a street excavation or obstruction when stopping, standing or parking would obstruct traffic. Exemptions under ORS 811.560 (4) to (7), **(11) and (12)** are applicable to this subsection.

(9) Upon a bridge or other elevated structure upon a highway. Exemptions under ORS 811.560 (4) to (8), **(11) and (12)** are applicable to this subsection.

(10) Within a highway tunnel. Exemptions under ORS 811.560 (4) to (7), **(11) and (12)** are applicable to this subsection.

(11) On any railroad or rail fixed guideway public transportation system tracks or within seven and one-half feet of the nearest rail at a time when the parking of vehicles would conflict with op-

erations or repair of the tracks. Exemptions under ORS 811.560 (4) to (7), **(11) and (12)** are applicable to this subsection.

(12) On a throughway. Exemptions under ORS 811.560 (4) to (7), **(11) and (12)** are applicable to this subsection.

(13) In the area between roadways of a divided highway, including crossovers. Exemptions under ORS 811.560 (4) to (7), **(11) and (12)** are applicable to this subsection.

(14) At any place where traffic control devices prohibit stopping. Exemptions under ORS 811.560 (4) to (7), **(11) and (12)** are applicable to this subsection.

(15) In front of a public or private driveway. Exemptions under ORS 811.560 (2), [and] (4) to (7), **(11) and (12)** are applicable to this subsection.

(16) Within 10 feet of a fire hydrant. Exemptions under ORS 811.560 (2), [and] (4) to (7), **(11) and (12)** are applicable to this subsection.

(17) Within 20 feet of a crosswalk at an intersection. Exemptions under ORS 811.560 (2), [and] (4) to (7), **(11) and (12)** are applicable to this subsection.

(18) Within 50 feet upon the approach to an official flashing signal, stop sign, yield sign or traffic control device located at the side of the roadway if the standing or parking of a vehicle will obstruct the view of any traffic control device located at the side of the roadway. Exemptions under ORS 811.560 (2), [and] (4) to (7), **(11) and (12)** are applicable to this subsection.

(19) Within 15 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station, within 75 feet of the entrance. Exemptions under ORS 811.560 (2), [and] (4) to (7), **(11) and (12)** are applicable to this subsection.

(20) At any place where traffic control devices prohibit standing. Exemptions under ORS 811.560 (2), [and] (4) to (7), **(11) and (12)** are applicable to this subsection.

(21) Within 50 feet of the nearest rail of a railroad or rail fixed guideway public transportation system crossing. Exemptions under ORS 811.560 (3) to (7), **(11) and (12)** are applicable to this subsection.

(22) At any place where traffic control devices prohibit parking. Exemptions under ORS 811.560 (3) to (7), **(11) and (12)** are applicable to this subsection.

(23) On a bicycle lane. Exemptions under ORS 811.560 are applicable to this subsection.

(24) On a bicycle path. Exemptions under ORS 811.560 are applicable to this subsection.

SECTION 3. The amendments to ORS 811.550 and 811.560 by sections 1 and 2 of this 2019 Act apply to conduct occurring on or after the effective date of this 2019 Act.

Passed by Senate February 28, 2019

Repassed by Senate May 28, 2019

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 22, 2019

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Tina Kotek, Speaker of House

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Approved:

.....M,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State