



MOTOR CARRIER

Quarterly Newsletter of the Oregon Department of Transportation • Motor Carrier Transportation Division • December 2001

Officers to start requiring excessively overweight trucks to correct back to statute limits Oregon enforcement changes weight legalization policy

Truckers operating in Oregon at weights far exceeding legal limits, but without a variance permit, will notice a difference in the way enforcement officers treat them from now on. The officers will still have discretion to let an overweight truck proceed if it's within certain limits. Exceed those discretionary limits, however, and

the carrier will be ordered to "legalize" — reduce the load — all the way back to legal weight limits.

Oregon size and weight enforcement officers are implementing the new policy immediately. The policy change comes at the advice of the Oregon Department of Justice (DOJ). In a review of the law, DOJ found

officers had no authority to tell a carrier to reduce truck weight back to any level but legal limits.

Under Oregon law, ORS 810.490, if an enforcement officer stops an overweight truck, the officer must require the driver to move the vehicle or combination to a suitable place "until such portion of the load is removed as may be necessary to reduce any dimension and any weight to the limits authorized by the statute or permit."

The law also gives the officer discretion to let the driver go without removing the excess weight, but only if the initial weight does not exceed certain specific amounts:

Limits of Officer Discretion for Handling Overweight Trucks

(Excess Weight Cannot Exceed)

Individual Wheel	500 pounds
Axle	1,000 pounds
Tandem Axles	2,000 pounds
Group of Axles	3,000 pounds
Vehicle or Combination	4,000 pounds

Historically, weigh station officers have allowed an overweight carrier to legalize back to within those discretionary limits. If a truck's tandem axle was 4,000 pounds overweight, for example, an officer might require the driver to lighten the axle load by 2,000 pounds and then let the truck go.

"Officers will still have discretion under the law," said Ed Scrivner, Field Services Manager for the Motor Carrier Transportation Division. "But when the excess weight exceeds discretionary limits, we must require a driver to reduce an overweight load all the way back to the limits authorized by statute or permit."

New Annual Fees for Oregon Carriers Participating in IFTA

Fees are based on the number of trucks an Oregon carrier elects to operate under IFTA.

Number of Trucks	Annual Fee Per Carrier
1	\$ 280
2	\$ 295
3	\$ 310
4	\$ 325
5	\$ 340
6	\$ 355
7	\$ 370
8	\$ 385
9	\$ 400
10	\$ 415
11	\$ 430
12	\$ 445
13	\$ 460
14	\$ 475
15	\$ 490
16 to 20	\$ 525
over 20	\$ 575

Exception — Certified Farmers pay a flat annual fee of \$50.

Administrative Rule 740-055-0030

Oregon carriers to pay higher IFTA program fees

Oregon-based carriers who need to report miles traveled and pay diesel fuel taxes for operating in other states and Canadian provinces will soon have to pay higher fees for Oregon's help with that.

At its November 8 meeting, the Oregon Transportation Commission approved the results of a rulemaking that established new annual fees for Oregon carriers participating in the International Fuel Tax Agreement (IFTA) program. The fees range from \$280 for a one-truck operator to \$575 for a company operating more than 20 trucks.

The fee change affects about 4,300 Oregon carriers who operate interstate and internationally. It also affects any new carrier applying for an IFTA license beginning January 2002.

Through IFTA, carriers throughout the country work with their base state to report and pay fuel taxes owed to other states and provinces. "Except by buying fuel permits for single trips, carriers have no other way to discharge their fuel tax liability," explained Oregon IFTA Program Manager Owen Herzberg. "They're not allowed to individually file fuel tax reports and make payments to other jurisdictions."

(continued on page 2)

Annual IFTA fees increase to cover program costs

(continued from page 1)

The International Fuel Tax Agreement (IFTA) program was established for the very purpose of getting each base state to collect its carriers' reports and payments and consolidate those into one filing to the jurisdictions touched by its carriers' operations.

In Oregon, the Motor Carrier Transportation Division (MCTD) provides this needed fuel tax payment service. Until now, Oregon carriers paid an annual fee of \$150 to participate in the state's program, but the fee was waived if a carrier's fuel tax liability was less than \$300. Last year, about 2,000 carriers qualified for waiver of the fee.

Fees are now designed to cover the cost of Oregon's program. Because Oregon does not have a diesel tax, State Highway funds cannot be used for the program. A bill passed in the 2001 Session (Senate Bill 740) called for a rulemaking to set new fees based on carriers' fleet sizes. In setting fees, MCTD had to find a way to charge everyone enough to cover program costs, but not so much that large fleet operators would take their IFTA business to another state.

In a recent newsletter to members of the Oregon Forest Products Transportation Association, Executive Director D. E. Bridges explained the dilemma to his constituents: "We were faced with a Hobson's Choice of trying to find a fee schedule that was as fair as possible to the smaller operators without causing the larger operators to bolt by paying their IFTA taxes through other states in which they operate. That choice is available to any operator who has an office in another state — all of which have fuel taxes, so in most cases do not require a fee to operate the IFTA program. If we set the fee too high and those larger carriers started paying their fuel taxes through other states, that would simply mean the smaller carriers, most of whom do not have that option, would have to pay an even larger fee to make up for that lost revenue. The resulting fee schedule is truly one that nobody is happy with, but in my opinion, unfortunately was the only choice we had."

In November, MCTD mailed IFTA license renewal forms to all currently active Oregon IFTA carriers. In January, these carriers will receive new informational packets with forms, instructions, and much more information about requirements for operating under IFTA.

Commission considers list of road & bridge projects worth \$400 million

The Oregon Transportation Commission (OTC) meets again in December to hear from local governments, regional transportation advisory groups, and members of the public who will help it pick from a list of road and bridge projects worth \$400 million.

Legislation passed in the 2001 Session raised vehicle title fees to allow for the sale of \$400 million in bonds for repair and modernization projects. The legislation, called the Oregon Transportation Investment Act, gave the Commission until February 2002 to select projects.

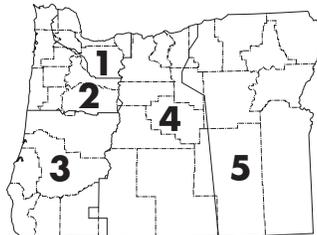
So far the OTC has decided to split the \$400 million, with half going to bridge and preservation projects and half to moderniza-



tion projects. The \$200 million for bridge and preservation has been allocated as follows:

- \$120 million for bridges
- \$60 million for pavement preservation
- \$20 million to be held in reserve for commitment to either

bridges or pavement preservation projects on a case by case basis to achieve overall balance in the Transportation Investment Act program.



The OTC allocated the \$200 million for modernization projects among five regions:

- Region 1 - 35%, \$70 million
- Region 2 - 34%, \$68 million
- Region 3 - 14%, \$28 million
- Region 4 - 10%, \$20 million
- Region 5 - 7%, \$14 million

The legislation requires the OTC to pick from projects that specifically involve highway preservation, repairs to weight-restricted bridges, increases in traffic-lane capacity, and safety improvements to interchanges on multi-lane highways.

A "modernization project" is defined as any project that includes improvements that add capacity to highways, but not limited to new or widened lanes and new bypasses. For example, a project that builds a bridge in a place where there was no bridge, or that rebuilds a bridge to add travel lanes, is a modernization project.

A "preservation project" is any project that includes paving, striping, and reconstruction designed to add useful life to existing highways. This includes bridge replacement and rehabilitation projects if capacity is not added.

Oregon titling fees are now \$30 for cars, \$90 for trucks and buses with a gross vehicle weight rating over 26,000 pounds, and \$90 for trailers over 8,000 pounds loaded weight. Salvage titles, including duplicate or replacement salvage titles, are \$17. The millions available for Oregon's roads and bridges represents the first significant infusion of new money for transportation projects in a decade.

Legislation makes Oregon law consistent with federal regs

Drivers to face CDL suspension for rail crossing offenses

Truck drivers convicted of operating unsafely at railroad crossings face new, stiff penalties as a result of a bill passed in the 2001 Legislative Session.

Senate Bill 296 took three railroad crossing-related offenses already in Oregon statute, expanded two of them, added one new offense, and then established the penalty of suspension of a driver's commercial driver license (CDL), or suspension of the right to apply for a CDL, upon conviction of any one of them. The changes were needed to bring Oregon law into line with federal safety regulations related to disqualification of drivers.

In Oregon, effective January 1, 2002, drivers face CDL suspension upon conviction of the following railroad-highway grade crossing offenses:

- Failure to stop for a railroad signal, including bells, lights, crossing gates, flagger or police officer signals, and failure to stop when an approaching train is clearly visible and its nearness to the crossing is an immediate hazard. Senate Bill 296 changed this offense to include the failure to obey a police officer's signal. ORS 811.455
- Failure of a high-risk vehicle to follow rail crossing procedures that involve stopping at a crossing to listen and look in both directions for a train, or signals of an approaching one, and then manually changing gears and proceeding in a gear that doesn't require again changing gears while negotiating the crossing. High-risk vehicles include commercial buses, school buses, church buses carrying kids, worker transport buses, for-hire passenger vehicles operated by a non-profit entity, vehicles carrying hazardous materials and, as a result of



Senate Bill 296, tank trucks used to haul hazardous materials. ORS 811.460

- Obstructing a rail crossing by driving onto it when there's not sufficient space on the other side for the vehicle without obstructing the passage of other vehicles, pedestrians, or trains. Senate Bill 296 expanded this to also include failing to negotiate a crossing because of insufficient undercarriage clearance. ORS 811.475
- Failure to slow down and check that tracks are clear of an approaching train, a new offense added by Senate Bill 296 that applies to drivers of vehicles not required to stop before reaching a crossing (not high-risk vehicles). The ORS Chapter 811 statute number has yet to be assigned.

The offenses are all Class B traffic violations with a \$175 fine, but the CDL suspension is potentially a much more costly penalty.

A driver's CDL or the driver's right to apply for a CDL will be suspended for 60 days if it's the driver's first conviction during any three-year period, or 120 days if it's a second separate offense and the conviction occurs during any three-year period.

A driver's CDL will be suspended for one year if it's the driver's third separate offense and conviction during any three-year period. Drivers have the right to ask DMV for an administrative review of a suspension before it's imposed.

The Oregon Department of Transportation's Driver and Motor Vehicle Services Division (DMV) introduced Senate Bill 296 so that penalties and sanctions in state law would conform with federal safety regulations related to commercial driver disqualification (49 CFR, Part 383.51).

Oregon risked losing federal-aid highway funds if it didn't change state law and adopt the new penalties.

Fast Facts About Railroad Safety

- According to the National Highway Traffic Safety Administration, there are approximately 268,000 highway-rail and pedestrian crossings in the United States.
- According to the Federal Railroad Administration, more than 80% of public railroad crossings don't have lights and gates. More than half of all railroad accidents occur at these unprotected crossings.
- There are about 2,500 public highway rail crossings in Oregon, only 900 of which have active warning devices.
- In the U.S., a train collides with a vehicle or a person once every 100 minutes.
- In the last five years, there have been a total of ten accidents in Oregon involving a truck and train: 2 in 1996, 0 in 1997, 4 in 1998, 3 in 1999, and 1 in 2000.
- In Oregon in 2000, there were a total of 92 drivers convicted for failing to stop for a railroad signal, 56 drivers convicted for obstructing a rail crossing, and two drivers convicted for failing to follow rail crossing procedures for high-risk vehicles (convictions include those for both car and truck drivers).

Weight-Restricted Oregon Bridges Located on Lesser Routes

Bridge Name, Location		Tandem Axle	3-Axle Group within 20' Not Uniform in Weight	3-Axle Group within 20' Uniform in Weight	4-Axle Group within 20' Not Uniform in Weight	4-Axle Group within 20' Uniform in Weight
NORTHERN OREGON COAST						
US 101 Business	Lewis & Clark River, 2.5 miles SE of Astoria, MP4.78	38,000	45,000	49,000	50,000	67,000
US 26	Volmer Creek, 2 miles SE of Cannon Beach Junction, MP2.24	43,000	53,000	55,000	59,000	72,000
US 26	Johnson Creek, 3 miles SE of Cannon Beach Junction, MP3.26	43,000	59,000	64,500	67,000	72,000
OR 53	North Fork Necanicun River, 0.11 miles S of US 26, MP0.11	40,000	46,000	51,000	52,000	70,000
OR 53	Jack Horner Creek, 5.98 miles S of US 26, MP5.98	40,000	46,000	50,000	52,000	70,000
CENTRAL COAST						
Little Nestucca Hwy #130	Panther Creek, Kellow Creek, 3.23 miles E of US101, MP3.23	49,000	57,000	64,000	63,000	85,000
Little Nestucca Hwy #130	Squaw Creek, 3.60 miles E of US101, MP3.60	44,000	47,000	48,000	50,000	57,000
Little Nestucca Hwy #130	Austin Creek, 3.82 miles E of US101, MP3.82	47,000	52,000	54,000	57,000	68,000
Little Nestucca Hwy #130	Little Nestucca River, 4.15 miles E of US101, MP4.15	43,000	49,000	51,000	54,000	67,000
Little Nestucca Hwy #130	Bear Creek, 4.76 miles E of US101, MP4.76	47,000	56,000	64,000	64,000	87,000
OR 22	Louie Creek, 10.48 miles S of Hebo, MP10.48	43,000	50,000	52,000	54,000	65,000
OR 22	Louie Creek, 10.66 miles S of Hebo at Dolph, MP10.66	43,000	47,000	49,000	52,000	63,000
US 20	Hayes Creek, 20.25 miles E of Newport, MP21.01	42,000	49,000	53,000	56,000	72,000
US 101, Otter Crest Loop Road	Rocky Creek, Ben Jones Bridge, 1.46 miles S of Depoe Bay, MP130	6,000	6,000	6,000	6,000	6,000
OR 34	Malthby Creek, 5 miles W of Alsea, MP35.61	43,000	57,000	60,000	66,000	72,000
OR 36	Steinhauer Creek, 1.48 miles E of Greenleaf, MP19.69	45,000	55,000	62,000	63,000	87,000
SOUTHERN COAST						
Coos River Hwy #241	Isthmus Slough, 0.51 miles E of US101, MP0.59	34,000	Legal axle weights only - Gross			Wgt. 80,000 lbs.
WILLAMETTE VALLEY						
Bellevue-Hopewell Hwy #153	Salt Creek, Amity, MP5.88	43,000	50,000	55,000	57,000	72,000
US 20	Burkhart Creek, 2.08 miles E of Albany, MP3.92	41,000	48,000	52,000	54,000	70,000
Corvallis-Lebanon Hwy #210	Willamette River, Van Buren Street, Corvallis, MP0.13	34,000	Legal axle weights only - Gross			Wgt. 80,000 lbs.
Territorial Hwy #200	Siuslaw River Overflow, 0.22 miles S of Lorane, MP38.08	41,000	48,000	53,000	54,000	72,000
SOUTHERN OREGON						
Rogue River Loop Hwy #260	Rogue River, Robertson Bridge, 12 miles W of Grants Pass, MP12.91	15-ton weight limit				
Midland Hwy #420	Lost River Diversion Channel, 5 miles S of K-Falls, MP3.64	43,000	64,000	64,500	69,000	72,000
OR 140	Right of Way Bridge on Left, 2 miles W of Lakeview, MP93.92	31,000	34,000	37,000	39,000	52,000
OR 140	Right of Way Bridge on Left, 1.5 miles W of Lakeview, MP94.35	31,000	34,000	37,000	39,000	52,000
COLUMBIA RIVER GORGE						
Historic Columbia River Hwy	Sandy River, Troutdale, MP0.03	34,000	60,000	60,000	60,000	60,000
Historic Columbia River Hwy	Shepperd's Dell Creek, Shepperd's Dell State Park, MP13.14	34,000	Legal axle weights only - Gross			Wgt. 80,000 lbs.
Historic Columbia River Hwy	Horsetail Creek Bridge, 6 miles E of Bridal Veil, MP20.39	34,000	Legal axle weights only - Gross			Wgt. 80,000 lbs.
CENTRAL OREGON						
OR 242	Creek, 25 miles W of Sisters, MP66.70	40,000	43,000	44,000	47,000	55,000
OR 242	Creek, 21 miles W of Sisters, MP68.36	43,000	50,000	55,000	57,000	76,000
OR 27	Irrigation Canal, 1.90 miles S of Prineville, MP1.90	62,000	67,000	67,000	71,000	71,000
OR 27	Irrigation Canal, 2.88 miles S of Prineville, MP2.88	56,000	61,000	63,000	66,000	78,000
OR 27	Irrigation Canal, 4.59 miles S of Prineville, MP4.59	59,000	66,000	68,000	72,000	86,000
OR 27	Bear Creek, 27 miles S of Prineville, MP27.23	49,000	52,000	52,000	56,000	56,000
OR 31	Silver Creek, 0.60 miles W of Silver Lake, MP46.75	43,000	60,000	66,000	68,000	91,000
Antelope Highway #293	Antelope Creek, 12 miles SW of Antelope, MP0.99	69,000	75,000	75,000	79,000	80,000
Antelope Highway #293	Indian Creek, 4 miles SW of Antelope, MP8.86	56,000	63,000	66,000	69,000	83,000
Athena-Holdman Hwy #334	West Fork Greasewood Creek, 7.86 miles E of OR 37, MP7.86	40,000	50,000	56,000	57,000	72,000
NORTHEASTERN OREGON						
Freewater Hwy #339	West Crockett, 2.76 miles S of OR/WA border, MP2.76	43,000	64,500	64,500	86,000	86,000
Freewater Hwy #339	East Fork, Little Walla Walla, 3 miles S of OR/WA border, MP3.20	43,000	64,500	64,500	86,000	86,000
Freewater Hwy #339	West Fork, Little Walla Walla, 3 miles S of OR/WA border, MP3.31	43,000	64,500	64,500	86,000	86,000
EASTERN OREGON						
Sumpter Hwy #410	Cracker Creek, Sumpter, MP0.30	43,000	60,000	60,000	66,000	66,000
OR 86, Hole in the Wall Road	Maiden Gulch, 10.56 miles W of Richland, OR, MP30.80	33,000	38,000	41,000	43,000	57,000

Notes: Uniform in weight means a difference of 2,000 pounds or less from heaviest to lightest axle within the group. All columns apply. All possible wheelbases apply. Tandem and tri-axles are to be split.

PAGE 1 OF 2. SEE ALSO BRIDGE RESTRICTIONS ON MAJOR ROUTES.

RESTRICTED

Divisible Loads:
Single axle - 20,000 lbs.
Tandem axle - 34,000 lbs.
Maximum gross weight - 105,500 lbs.

Non-Divisible Loads:
Single axle - 21,500 lbs.
Tandem axle - 43,000 lbs.
Maximum gross weight - 98,000 lbs.

- 1 Grande Ronde River Bridge, I-84 EB and WB, MP256.17, west of La Grande
- 2 Coast Fork Willamette River Bridge, SB I-5, MP179.99, north of Cottage Grove
- 3 Row River Bridge, SB I-5, MP175.40, north of Cottage Grove
- 4 Umatilla River Bridge, EB I-84, MP188.43, near Umatilla
- 5 Umpqua River Bridge, NB I-5, MP128.92, Roseburg
- 6 Spencer Creek Bridge, US101, MP133.86, 10 miles south of Depoe Bay
- 7 Fords Bridge, SB I-5, MP101.54, two miles north of Canyonville
- 8 9 Booth Ranch Bridge, NB I-5, MP112.57, and Shady Bridge, NB I-5, MP120.57, over the South Umpqua River between Myrtle Creek and Roseburg

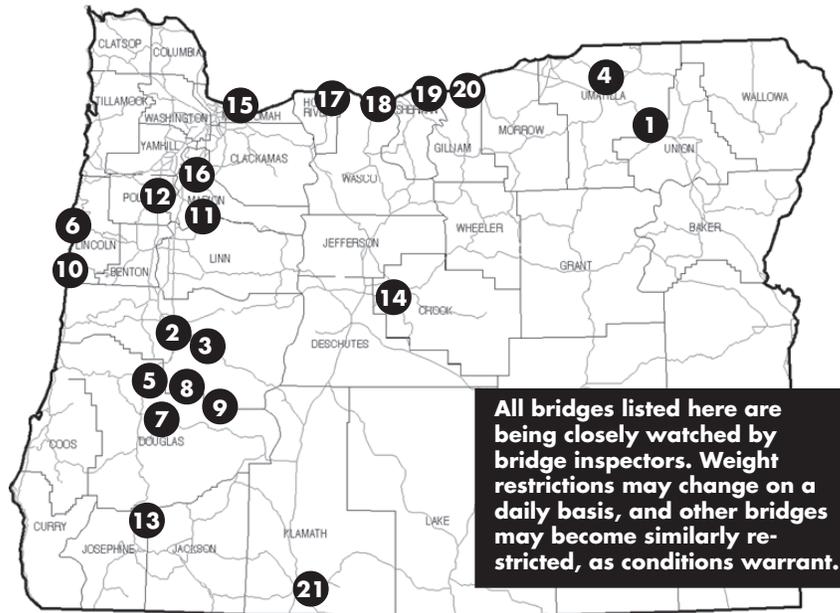
RESTRICTED

Solo vehicles - 44,000 lbs.
Tandem axle - 27,000 lbs.
Maximum gross weight - 64,000 lbs.

- 10 Cook's Chasm Bridge, US101, MP167.51, 2 miles south of Yachats

Weight-Restricted Bridges on Major Routes

Oregon Department of Transportation bridge inspectors have set weight restrictions on a number of bridges that are in urgent need of repair. The 21 bridges shown here are the ones most recently found to have structural problems. In addition to these bridges located on major routes throughout the state, there are 43 other bridges on lesser routes that are also weight-restricted. In order to issue variance permits and routing instructions for over-width loads (over 8^{1/2} feet) and heavy haul loads (exceeding axle weight limits), the Motor Carrier Transportation Division (MCTD) maintains a complete list of problem bridges. Truckers with questions about bridge restrictions should call an MCTD Over-Dimension Permit Analyst at 503-373-0000. More information is also available at www.TripCheck.com or at another ODOT Web site — www.odot.state.or.us/comm/newscenter/bridges.htm



RESTRICTED

Single axle - 20,000 lbs.
Tandem axle - 34,000 lbs.
Maximum gross weight - 80,000 lbs.

- 11 Willamette River Bridge, OR219, MP23.46, south of Newberg
- 12 Yamhill River Bridge, OR18, MP51.57, near Dayton
- 13 Applegate River Bridge, US199, MP7, southwest of Grants Pass
- 14 Crooked River Bridge, OR126, MP17.97, Prineville

Limited to 5-axle trucks
Maximum gross weight - 62,000 lbs.

- 15 Martin Luther King Jr. Viaduct, SB OR99E, Portland

RESTRICTED

Single axle - 20,000 lbs.
Tandem axle - 34,000 lbs.
Maximum gross weight - 105,500 lbs.

- 16 Tualatin River Bridge, OR99W, MP12.18, Tualatin
- 17 Hood River Bridge, WB I-84, MP63.41, crossing over the railroad in Hood River
- 18 Sandy River Bridge, WB I-84, MP17.68,
- 19 Deschutes River Bridge, OR206, MP 2.92
- 20 OR/WA Biggs Junction Bridge, US97, over the Columbia River
- 21 Klamath Falls, US97, MP275.74, bridge over Green Springs Drive

Plan Ahead for the Holidays

Oregon Field Registration Offices will be closed for several days during Christmas and New Year's:

Christmas

CLOSED from 4 p.m., Monday, December 24, 2001
until
6 a.m., Wednesday, December 26, 2001

New Year's

CLOSED from 4 p.m., Monday, December 31, 2001
until
6 a.m., Wednesday, January 2, 2002



Carriers should call a Port of Entry (POE), or the Portland Bridge Office, to have credentials faxed to them before embarking on a trip to Oregon:

Ashland POE
541-776-6117

K-Falls POE
541-883-5696

Woodburn POE
503-982-0800

Cascade Locks POE
541-374-8078

Umatilla POE
541-922-3761

Portland Bridge
503-283-5700

The Salem Headquarters of the Motor Carrier Transportation Division — 503-378-6699 — will close at 5 p.m. the day before Christmas and New Year's and reopen at 8 a.m. the day after each of those holidays.

Tax plate elimination on schedule, rush is on for other plate renewal

The Motor Carrier Transportation Division (MCTD) is on schedule with its plan to eliminate the Oregon "tax" plate displayed by trucks based outside the state. Beginning March 15, 2002, those trucks will be expected to have registered the plate issued by their home state or province, usually under the International Registration Plan. When MCTD has record of a carrier's home state license plate, it gives the carrier a paper credential called an Oregon Weight Receipt and Tax Identifier.



Oregon "tax" license plates on trucks operated by carriers based outside Oregon can be scrapped for recycling after March 15, 2002, if the carrier has received the new Oregon paper credential, called a Weight Receipt and Tax Identifier.

For Oregon-based carriers with Commercial or Apportioned license plates, there still is no grace period for renewing truck registration. Beginning January 1, 2002, any carrier who hasn't submitted renewal forms with payment, and continues to operate in Oregon, is in violation of the law. A sticker display grace period is available to carriers who submit renewal forms with payment by December 31. They then have until March 15, 2002, to display the new 2002 sticker.

A shorter grace period is available to Oregon carriers renewing their International Fuel Tax Agreement (IFTA) licenses. They have until March 1 to display the 2002 license and decal.

Web site makes it easy to comment on rulemakings

Motor carriers interested in commenting about proposed new administrative rules, and changes to existing rules, should become familiar with an Oregon Department of Transportation (ODOT) Web site devoted to rulemakings. The site has separate Web pages for news about rulemakings underway at DMV, Highway, Motor Carrier, Public Transit, Rail, and Transportation Safety. The Web address for news about motor carrier rules is: www.odot.state.or.us/rules/mtrcarriers.htm

At the Web site, visitors can view draft proposed rules, recently adopted rules, and published rules. Most importantly, the site offers an easy way for visitors to submit comments about rules.

"In the past, comments had to be submitted in writing by letter or fax, or in person through testimony at hearings," said Craig Bonney, Rulemaking Coordinator for the Motor Carrier Transportation Division. "Now this Web site gives anyone with a computer easy access to the entire process and a chance to send comments by e-mail to Brenda Trump, ODOT's Rules Coordinator."

Oregon Department of Transportation RULEMAKING

Proposed Rulemaking

Recently Adopted Rules

Published Rules

Rules by Agency:

DMV

Highway Division

Motor Carriers

Public Transit

Rail

Transportation Safety

Rulemaking Home Page

Motor Carrier Division

Proposed Motor Carrier Division Rules

All agency rulemaking notices are published by the Secretary of State in the *Oregon Bulletin*. ODOT rules must be approved by the Oregon Transportation Commission (OTC) before they can be filed with the Secretary of State and become effective. Once the public comment period has closed, the department prepares the final rule text and submits it for OTC consideration. The date of the OTC meeting at which consideration is anticipated is listed below.

This page provides information about proposed rulemakings by the Oregon Motor Carrier Division.

- To see a list of **recently adopted** Motor Carrier rules, [follow this link](#).

Please send **comments** to the ODOT Rules Coordinator.

Go here: www.odot.state.or.us/rules/mtrcarriers.htm

Enforcement

3rd Quarter 2001

During the third quarter, July through September 2001, Motor Carrier Transportation Division staff completed a total of 153 formal, civil enforcement actions. The number following each name indicates the number of violations confirmed in the process.

** Denotes second complaint within five years.

Safety Violations

A total of 77 enforcement actions involved violations discovered during safety compliance reviews at carriers' terminals, violations for failure to comply with a driver out-of-service notice, or violations related to failure to return a Driver or Equipment Compliance Check Form after a safety inspection.

Ace Communication Service, Inc. 14
Anderson Pallets, Inc. 1
Dusty Ashworth 3
B & L Paving, Inc. 4**
Barnett Auto Transport 6
Dick R Blomberg 8
Daren Lane Bresnehan 1*
failure to comply with a driver out-of-service notice
C 2 Utility Contractors, Inc. 25
Capital City Transfer 21
Cedar Springs Ranch 2
Clackamas Barkdust, Inc. 11
Coca Cola of Walla Walla 2
Columbia Basin Spreaders, Inc. 6
Deschutes Valley Equipment, Inc. 11
Dirtco, Inc. 3
Draper Transport, Inc. 22
Emmert International 20

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Environmental Business Solutions 8
Foothills Trucking 21
G T G Trucking (*Aurora OR*) 6
Harold's Backhoe Service 3
A M Hatton, Inc. 17
Hershey Cattle Co. 6**
Holefield Construction, Inc. 9
John Howard, Jr. 24
John Howard Trucking 18
Hughes Lumber Co., Inc. 8**
J C Jones Oil Co. 6
JD Paving, Inc. 15**
Dan Kauffman
Excavating, Inc. 3**
Kelley Bros., Inc. 1
The King of Hearts Transportation 40
Lammi Sand & Rock Products 20**
Lee's Trucking, Inc. (*Talent OR*) 4
Lee's Trucking (*Talent OR*) 23
Chuck Loree Trucking 7
M & S Trucking (*Cottage Grove OR*) 7
S & J McAllister Trucking 8
Merciful Samaritan, Inc. 11
Harry Miller (*K-Falls OR*) 19
Mountain West Moving & Storage 15
Randy D Muller 13
N & M Trucking 1
North River Excavation Pipeline Co. 5**
Ochoco Feed, Inc. 28
One Stop Builder's Supply, Inc. 17
Oregon Pallet Repair, Inc. 12
Gregory Loren Osborne 4
Pellham Cutting, Inc. 2
Eric Bradford Pies 2
Portland Bottling Co. 135
Power Pac Rental & Sales, Inc. 5
Price Excavators 13
R C Farms, Inc. 21
R & D Trucking (*Albany OR*) 3
Clint Reed Construction 9
Jerry Robertson 13
Rogue Excavation 13
Rose City Paving 9**
S L B Transportation 5
S & S Environmental, Inc. 7**
S & S Trucking (*Milwaukie OR*) 29
Salem Transport, Inc. 20
SOR Trucking 7
Sundown Farms, Inc. 9
Sunrise Sanitation Service 20
Ray Sweat 17
Territorial Rock Products, Inc. 14
Tom's Tractor 17
Townsend Oil Co. 5
Villareal Trucking LLC 1
Vio T Construction 16
Richard Vogeler 6
WTW Construction, Inc. 6**
Westurn Cedar, Inc. 1
Joel Williams Transport 6
Chet & Dawn Zacharias 15

Other Violations

A total of 76 enforcement actions involved violations related to operating without valid registration credentials, or a required size or weight variance permit.

Action Earth Movers, Inc. 4
Airtrans, Inc. 11
All Freight Transport LLP 2**
Allied Van Lines, Inc. 1**
Apollo, Inc. 2**
Associated Petroleum Products, Inc. 2
Balmelli Trucking, Inc. 3
Bartelson Trucking, Inc. 2
Charlie Baucom, Inc. 6
Duane L Bellows Construction, Inc. 1
Burlington Northern Railroad 3
Oscar M Cantu 3
Mark L Chloupek Trucking 3**
Constructo, Inc. 1
Ken Clark & Son 6
Copart, Inc. 2
Cunning Transport 2
D & S Transport, Inc. (*Seattle*) 2
C W Daniels 1
Tomas DeLeon 2
Doc's House Renovations 10
Donahoo Trucking 4
E C T I 3
Emerald Road Rail Services LTD 4
Expert Moving Co. 2
Flamingo Trucking, Inc. 6
G & M Trucking (*Othello WA*) 2
C Garza 3
Mario Garza Trucking 2
Golden Eagle Express, Inc. 2**
GTL Enterprises, Inc. 6**
Guajiro Transport 2
Gunn Logging 4
Heritage Equipment Enterprises 7
Hiway Towing & Truck Service 2
Holefield Construction, Inc. 3
Holst Enterprises, Inc. 3
J & D Transportation Services LLC 6**
J B Trucking, Inc. (*Tumwater WA*) 3
JD Excavating, Inc. 9
Jenck Farms LLC 5
Morgan Jones 2
Stan Koch & Sons Trucking, Inc. 1**
L Z N Excavation, Inc. 2
Larson Construction Co., Inc. 3
Lyman Dust Control, Inc. 1
Mayfield Industries 2
James T McKenzie 2**
Merit Distribution Services, Inc. 1
Morgan Logistics, Inc. 2
Northwest Hay Growers, Inc. 5
Juan Ozuna 2
Panther Crushing Co., Inc. 19
Parkway Transport, Inc. 22

Raptor Remediation LLC 2
Recycling Services 2
Robison Construction, Inc. 2
Rogue Valley Backhoe Service 1
Stan Schaad Farms 1
Seifert Trucking LLC 2
Shippers Transport Express (*Kent WA*) 5**
Stacy & Whitbeck, Inc. 2
Ken Stearns Trucking 2**
Styger Trucking 2
Sun River Electric Service, Inc. 2
Temple Moving & Storage 1
Three J's Distributing, Inc. 2
Jimmie Tucker Trucking, Inc. 11
United Rentals Northwest, Inc. 2
United Parcel Service, Inc. 7
Ramiro Valle 1
Viking Freight, Inc. 5
Wilcox Dairy Farms LLC 2
Wildwood Landscapes 3
Willies Grain, Inc. 2
Woodpecker Truck & Equipment, Inc. 1

Other Enforcement

Following are results of enforcement actions by Motor Carrier Enforcement Officers at weigh stations in the 3rd Quarter, July through September 2001:

**Warnings Issued
5,206**

**Weight-Related Citations
4,040**

**Size-Related Citations
550**

**Trucks Required to
"Legalize" (Correct
Size and/or Weight
2,053**

**Other Citations Issued
1,482**

**Citations for Operating
Without OR Tax License
891**

The numbers shown here do not include enforcement actions by Oregon State Police or city and county enforcement officers.

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SALEM, OR
PERMIT No. 81



MOTOR CARRIER

Quarterly Newsletter of the
Oregon Department of Transportation
Motor Carrier Transportation Division

In this December 2001 issue:

- Weight legalization policy changes 1**
Truckers operating in Oregon at weights far exceeding legal limits, but without a variance permit, are now being required to “legalize” — reduce the load — all the way back to legal weight limits.
- Oregon carriers to pay higher IFTA fees 1-2**
Oregon-based carriers who need to report miles traveled and pay diesel fuel taxes for operating in other states and Canadian provinces will soon have to pay higher fees for Oregon’s help with that.
- Rail crossing offenses lead to CDL suspension 3**
Truck drivers convicted of operating unsafely at railroad crossings face new penalties as a result of a bill passed in the 2001 Legislative Session.
- Oregon Bridge Restrictions 4-5**
Bridge inspectors have set weight restrictions on a number of bridges that are in urgent need of repair. Most recently, they’ve found structural problems with 21 bridges located on major routes. But there are also 43 other weight-restricted bridges located on lesser routes throughout Oregon.
- Web site makes it easy to comment on rules 6**
Motor carriers interested in commenting about proposed new administrative rules should become familiar with an ODOT Web site devoted to rulemakings.
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