



MOTOR CARRIER NEWS

Newsletter of the Oregon Department of Transportation Motor Carrier Transportation Branch • September 1997

Northbound half shut down for three weeks

Portland Interstate Bridge undergoes major repairs

The Oregon Department of Transportation has some advice for truckers thinking of using the Portland Interstate Bridge during the three weeks it is under repair this month: Don't.

Beginning September 16, the northbound half of the 80-year-old bridge will be closed for at least three weeks to replace critical drawbridge parts. All Interstate 5 traffic will be routed to the three lanes on the southbound half of the bridge, with a reversible center lane affording commuters two lanes southbound in the morning and two lanes northbound in the afternoon.

If the tens of thousands of cars and trucks that use the bridge every day show up after September 16, ODOT officials warn morning rush hour traffic could back up 20 miles to Woodland, Washington, and evening rush hour traffic could back up to a point at least five miles south of downtown Portland. One worst-case scenario predicts gridlock lasting 20 hours and extending 40 miles both ways.

ODOT's Motor Carrier Transportation Branch is encouraging carriers to use alternate routes around the bridge if at all possible. The I-205 bridge will take most detouring traffic, but will be congested. Other alternatives include the Longview-Rainier Lewis and Clark Bridge, the Cascade Locks Bridge of the Gods, and the Astoria Megler Bridge.

For carriers who are on record as regular users of the I-5 bridge,

additional miles traveled along alternate routes during the construction period will be considered exempt from highway-use tax, in accordance with ORS 825.005(7) related to detours around "road blockades." All claimed exemptions are subject to audit and complete records must be maintained to support claims. Carriers with questions about the tax exemption should contact the Motor Carrier Tax Audit staff at (503) 378-6021.



Bridge Engineer Frank Nelson inspects the trunnion, an axle-like mechanism, on the northbound Interstate 5 Bridge. The northbound bridge linking Oregon and Washington will be closed during repairs to replace the cracked trunnion.

MCTB mails registration renewal notices

The Motor Carrier Transportation Branch (MCTB) is reaching out and touching some 23,000 carriers this month with packages of information related to renewal of Oregon tax, commercial, or apportioned truck registration. Renewal forms must be completed and returned by October 31, 1997. The 1998 plate sticker color is silver on green.

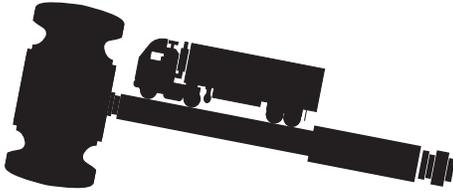
Oregon-based carriers will notice one new form in their package — an application for a USDOT number. Oregon is requiring that every carrier have a USDOT number, in addition to the Oregon "AF" number, so that safety inspection information can be entered into a national database. There is no charge for the new number.

Most truck registration renewals are done by mail. Carriers with five or fewer vehicles with tax or com-

mercial plates can renew them in person at designated DMV offices. Carriers with ten or fewer tax, commercial, or prorate-plated vehicles can renew them at any Port of Entry, the Portland Interstate Bridge Jantzen Beach office (but not during the September bridge closure), or Salem Headquarters. Carriers with prorate transactions are, however, handled by appointment only.

In October, MCTB staff will be busy contacting about 4,000 Oregon-based carriers to renew their International Fuel Tax Agreement (IFTA) accounts. Although Oregon is a weight-mile tax state, it acts as an IFTA clearinghouse so its carriers can file returns and have Oregon distribute fuel taxes to each state the carrier traveled in.

Oregon driver hours-of-service rules recap



Drivers hauling intrastate commerce from point-to-point within Oregon in a commercial vehicle with a gross vehicle weight over 10,000 lbs. or a bus carrying more than 15 people:

- Up to 12 hours driving in the first 16 hours on duty.
- No driving after 70 hours on duty in 7 consecutive days or after 80 hours on duty in 8 consecutive days.
- Does not apply to carriers hauling hazardous materials.
- Does not apply to carriers with an unsatisfactory safety rating.

Oregon Administrative Rules 740-100-0010 and 740-100-0060

All other drivers, including those hauling interstate commerce from state to state:

- Up to 10 hours driving after 8 consecutive hours off duty.
- No driving after 15 hours on duty.
- No driving after 60 hours on duty in 7 consecutive days or after 70 hours on duty in 8 consecutive days.

Code of Federal Motor Carrier Safety Regulations, Title 49, Part 395

Questions? Please contact the Motor Carrier Transportation Branch at (503)-373-0884 or (503)-378-2987.

Inspectors catch hours-of-service violators

Truck safety inspectors conducting two road checks this summer found a disturbing number of truck drivers violating hours-of-service rules.

During one week in June, Oregon Department of Transportation (ODOT) staff joined safety inspectors from state and municipal law enforcement agencies to inspect 1,656 truck drivers operating throughout the state. A total of 221 of the drivers (13%) were placed out-of-service for serious safety violations, most related to exceeding hours-of-service limits. The road check was conducted as part of an International Highway Transportation Safety Week during which officials throughout the United States, Canada, and Mexico heightened enforcement of commercial vehicle safety regulations.

During three days in July, a special Strike Force of ODOT safety inspectors inspected a total of 492 truck drivers operating along U.S. Hwy. 97 near Klamath Falls and Madras, U.S. Hwy. 26 near Brightwood, and Oregon Hwy. 58 near Lowell. A total of 100 of the drivers (20%) were placed out-of-service for serious violations, most related to exceeding hours-of-service limits or falsifying driver records of duty status. Two drivers were arrested and jailed for violating out-of-service orders.

Oregon is a member of the Commercial Vehicle Safety Alliance (CVSA), an organization that establishes common, international practices and procedures for commercial vehicle safety enforcement.



The Oregon Department of Transportation is participating in a national program to raise public awareness of the blindspots that surround a conventional truck. Large color NO-ZONE decals are available at no cost to carriers that want to affix them to the back of their trailers to alert motorists to dangerous blindspots where crashes are more likely to occur. To order the decals, please contact Bob Martin at the Motor Carrier Transportation Branch, 503-378-6673.

Weight-mile tax left in place with no increase

Legislators reject transportation funding package

The 69th Oregon Legislature will not be remembered for bold initiatives, particularly in light of its failure to address transportation finance. Legislators met in Salem for 174 days this year and for the third consecutive session they rejected plans to increase gas and weight-mile taxes.

This time the buck stopped in the Oregon Senate, which rejected two separate transportation funding bills passed by a "super majority" (three-fifths) of the House of Representatives. The bills proposed increasing gas taxes from six to nine cents and truck weight-mile taxes from 28 to 31 percent over the next three years. Vehicle registration fees would have doubled. At one point it was called Christmas tree legislation because it seemed to offer something for everyone — highway and bridge construction, preservation, and maintenance, senior and disabled transportation service, high-speed rail, airport improvements, grants for ports, 68 new State police, and more.

Some credit the Senate's solid block of tax-hating conservatives for nixing the proposals. Others say the Republican-dominated Senate defeated the transportation plan because of last-day horse trading over a House rejection of a bill on charter schools.

Whatever the reason, the defeat was considered a monumental win for truckers. The Oregon Trucking Associations (OTA) estimates weight-mile tax increases would have cost the industry \$75 million a year.

OTA went into the session seeking to replace weight-mile taxes with diesel fuel taxes and higher truck registration fees. They lost that fight in April when a House Transportation Committee

voted against such a tax overhaul. To end the session with no increase in taxes was the next best thing for the trucking industry.

After legislators left Salem on July 5, a number of cities and counties across the state announced plans to ask voters to approve local transportation packages to repair deteriorating roads and ease traffic congestion within their jurisdiction. Governor John Kitzhaber tried to rally support for a Special Session to address transportation finance, telling legislators that a statewide measure would be better than having local government take the matter into their own hands. Proposed local transportation packages included gas and diesel fuel tax increases ranging from one to six cents a gallon, along with hikes in vehicle registration fees. Voters in as many as 20 of Oregon's 36 counties could decide the fate of such local packages on the Nov. 4th ballot.

Legislation Affecting Motor Carriers

Except for the consideration of tax reform and tax increases, there were no bold motor carrier-related initiatives on the table this session. The business of the Motor Carrier Transportation Branch (MCTB) was directly affected by a total of just nine bills that resulted in rather minor changes in laws related to truck size and weight, regulatory exemptions, and public records.

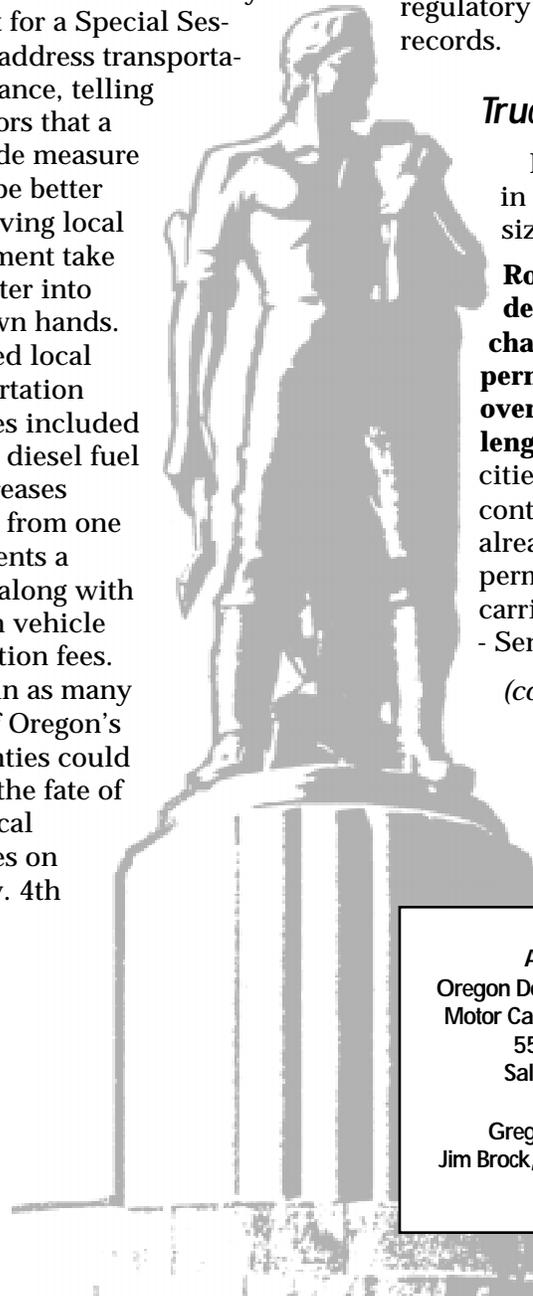
Truck Size and Weight

Five bills led to changes in laws related to truck size and weight regulation:

Road authorities may determine the fee they charge for issuing variance permits for trucks operating over standard width and length, up to \$8. Oregon cities, counties, and private contractors have, in fact already established various permit fees that they charge carriers.

- Senate Bill 510

(continued on page 4)



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(continued from page 3)

Road authorities may issue overwidth variance permits for divisible loads of lumber, veneer, and plywood that are up to nine feet wide. A large lumber company requested this change because it found its trucks occasionally exceeded the maximum width limit (8 1/2 feet) when moving rough dried lumber from one mill to another for planing. Instead of being forced to carry only half the load and stay within the width limit, the law now allows road authorities to issue a variance permit if the particular road involved can safely handle trucks up to nine feet wide.

- Senate Bill 844

Road authorities may issue annual overwidth variance permits for logs trucks up to 12 feet wide when hauling poplar logs, or the processing residual from the logs, on Patterson Ferry Road and Frontage Road in Morrow County for a distance of 5,000 feet or less.

- Senate Bill 1096

The maximum allowable length for trucks is extended, from 75 to 80 feet, if they are operated by public utilities, telecommunications utilities, people's utilities districts, and cooperative rural electrification districts, or common or contract carriers acting as their agent, and they are hauling poles, piling, or structures used in connection with their business.

- House Bill 2769

Carriers are subject to civil monetary penalties, up to \$100 per violation, for violating variance permits or operating without one when it is needed. Permit requirements that formerly were enforced only by citation when violations were discovered by on-road enforcement staff, can now also be enforced by investigators auditing carriers' records. Complaint actions seeking monetary

penalties can be filed when there is documentation that a previously undiscovered violation occurred in the recent past. MCTB intends to involve industry in crafting administrative rules to implement this legislation.

- Senate Bill 664



Regulatory Exemptions

Four bills led to the establishment of exemptions from motor carrier regulation:

A farmer with a three-axle farm-plated truck can add a drop axle and still remain exempt from regulation when using the truck to haul for-hire for another farmer.

Oregon law now declares that a drop axle is not considered a permanent axle when added to a three-axle farm truck.

- House Bill 3428

A truck can turn off the highway after passing a weigh station "open" sign and before reaching the weigh station scale if it is en route to a terminal or other legitimate business. This was requested by a carrier who learned he was technically in violation whenever he turned into his truck yard that happened to be located between a weigh station sign and the station itself.

- Senate Bill 664

Fire trucks and rescue vehicles operated by private companies offering commercial subscription service are exempt from regulation when involved in emergency

operations. The privately-owned vehicles must be designated by ODOT to be emergency vehicles. This extends the exemption currently in place for fire and rescue vehicles owned by public agencies.

- Senate Bill 1179

Trucks owned or operated by any governmental jurisdiction within the United States are now exempt from Oregon motor carrier regulation. In a gesture of inter-jurisdictional cooperation, this extends exemption status to the few publicly-owned vehicles from other States that have occasion to operate in Oregon.

- Senate Bill 147

Transportation brokers (property and passenger) are officially exempt from regulation in Oregon. This is simply a "housekeeping" measure because federal legislation (ICC Termination Act) passed in 1996 preempted States from regulating brokers that arrange intrastate transportation service.

- Senate Bill 147

Public Records

Certain information pertaining to motor carriers is not public record, unless public interest requires disclosure. This pertains to tax reports filed with ODOT, including mileage information and information collected by ODOT for the purpose of a tax audit. A carrier can give someone written permission to inspect the information and ODOT will disclose it to a government agency that is carrying out its governmental functions. This law is intended to assuage trucking industry concern about the availability of information collected automatically through the use of intelligent transportation systems.

- House Bill 3496

Complaints

During the second quarter, April through June 1997, Motor Carrier Transportation Branch staff finalized a total of 131 complaint actions.

Safety Violations

Staff finalized a total of 64 complaints involving violations discovered during safety compliance reviews at carriers' terminals, violations related to failure to produce records, or violation of an out-of-service notice. The number following each name indicates the number of violations confirmed through the complaint process.

A 1 Ready Mix Concrete 4
Atkinson & Atkinson, Inc. 7
B W Feed Co., Inc. 37
Gerald W. Barnes 19
Gerald Eugene Bates 8, including one violation for jumping out-of-service•••
Bayview Transit Mix, Inc. 7
Big B Feed & Farm Supply 9
Ronald E. Burbach, Inc. 14
Wayne Chappel Trucking•••
Robert Keith Church 1•••
Clean Sweep Maintenance, Inc. 15
Colin Transportation 14
Fred Colmenero 10
Cottage Grove Garbage Service, Inc. 19
Curry Transfer & Recycling, Inc. 26
Diamond Forest Products, Inc. 36
Earthmovers, Inc. 18
F & F Paving 23
Fun Tastic Rides Co. 22
G&G Grafton Incorporated 18
Bennie Ray Graves 10
Grimm Logging Company, Inc., 11
Haley Construction Company 34
Heaton Transportation Co. 10••
Keeton King General Contractors 4
Kirkpatrick's, Inc. 11**
Klamath Fruit and Produce, Inc. 9
Livran Trucking 13**
May Rock And Excavating 15
Sandy Eugene McLaughlin 10••
Metro Metals Northwest 20
Michael Allen Minor 1•••
Ralph Norberg Trucking, Ltd. 6
Oil Products, Inc. 46**
Ontario Asphalt & Concrete, Inc. 16***
Owens Freight Lines, Inc. 60**
Pacific Distribution Specialists, Inc. 12
Jeffrey O. Patterson Trucking, Inc. 13
Perrigo Construction Co. 1
Pioneer Energy Co. 8, including one violation related to hazardous materials
R Ramos & Son 3
Red Line Trucking 9
River City Disposal & Recycling 21
Rich Rohan Trucking 3**

Ross Bros. & Company, Inc. 26
Roto Rooter of Curry County 15
Saenz Trucking 129**
Scharff Bros. Contractor 25
Seacoast Nursery 16
W J Shockman & Son 19
Larry Skou Excavating, Inc. 12
Stokes Construction Company, Inc. 10**
Stratton Bros, Inc. 4
Sun Valley Transportation, Inc. 15
TP Freight Lines, Inc. 7
Tradewinds Transport 5**
Umpqua Excavation & Paving Co. 5
Vego Trucking, Inc. 8***
Tom Wasson Excavating 2**
Westwinds Trucking 46
Bob White Construction 10, including one violation for jumping out-of-service•••
Sam Wong & Son, Inc. 44***
Wood Waste Reclamation, Inc. 11**
Watson & Sons Logging 5

Other Violations

Staff finalized a total of 67 complaints involving violations related to failure to provide a vehicle for preoperational safety inspection, failure to produce records, operating without valid registration, permit, plates and passes, or operating a vehicle without proper external identification. The number following each name indicates the number of violations confirmed through the complaint process.

A P S, Inc. 25
All City Moving 1***
Allied Van Lines, Inc. 1**
Anderson Hay & Grain Co., Inc. 3
B & E Farms 5
B & S Trucking 4
B L D Enterprises, Inc. 2
Ken Baldwin Trucking 6
Barry's Asphalt & Seal Coating 3
Bates Enterprises Oregon 10••
Gerald E. Bates 13
Bear Creek Ranch 1
Benson Creek Trucking, Inc. 6
Bertolini Trucking, Inc. 9
Bill's Tires, Towing & Automotive 3
Blue Mountain Log Homes, Inc. 3
Blue Wing Trucking, Inc. 2
Audrey Bobo, aka Czar Movers 6
Russell Brooks 2**
Brundidge Construction, Inc. 2**
Harry Buckwalter 4**
C&C Logging of Oregon, Inc. 1
Carp Trucking 4
Albert A. Colmenero, Jr. 10••
Tony Colmenero 12
David A. Dompeling 20••**
E T Hay & Grain 5
E T Hay & Grain 2
Ellingson Construction 1

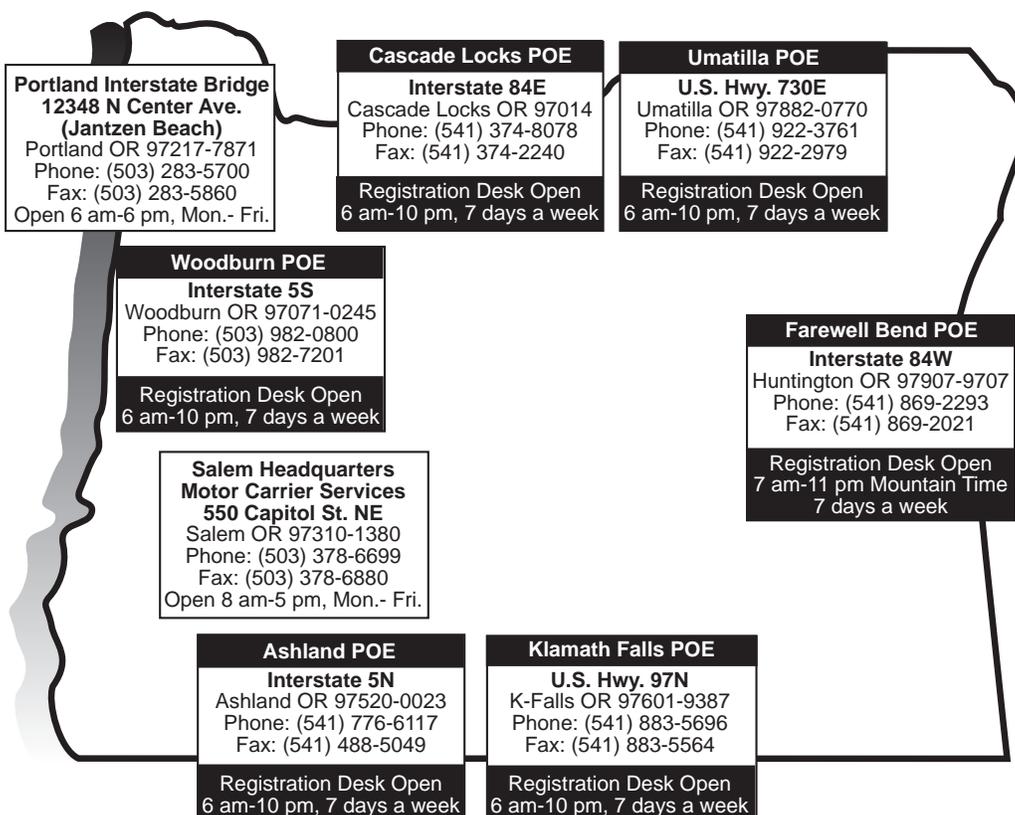
Anthony A. Fidler Trucking 10••
Lorraine Suzy Gibson 5
David Greer Trucking 24
Gresham Courier 2
H & A Trucking 2
Hanford Trucking 2
Huffman Wright 1
Patrick Hughes Trucking & Excavation 4
J & T Truck Service 3
Gerrit A. & Patricia M. Jager 2
Johnson Feed, Inc. 1**
Jones Farms 1
Roger M. Jones, Inc. 30
K C Delivery Services 1•
Kartage' 3
Kennie C. Knowles Trucking, Inc. 3
Landmark West, Inc. 12
Robert N. McLure Enterprises 6
McGrew, Inc. 2
MJP Excavating 10••
MTC, Inc. 2
Minuteman Transport, Inc. 2
Fred A. Moore, Inc. 7
Naylor Equipment, Inc. 3
Little Jim Parker Trucking 35
Juan Pablo Pesina 1
Quadco Rock & Paving, Inc. 9
R & S Transport 3
R/S Lee Construction & Trucking 6
Rogue Valley Moving & Storage 1
Saturn Express Freight, Inc. 1•
Shamrock Landscape Supply 5
Gordon Lee Smith 2
Thacker Excavating, Inc. 6
WMFL, Inc. 2
West Coast Cattle Carriers 3
Western Star Transportation, Inc. 4
Western Wire Rope, Inc. 1**
Western Wire Rope, Inc. 1
John Winters, Jr. Logging 2

- Denotes failure to submit to a preoperational safety inspection, resulting in suspension of operating authority.
- Denotes failure to produce records, resulting in suspension of operating authority.
- Denotes failure to produce records a second time, resulting in cancellation of operating authority.
- Denotes violation of out-of-service notice ("jumping out-of-service").
- ** Denotes second complaint filed within five years.
- *** Denotes third complaint within one year of second complaint.

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SALEM OR 97310**

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Major Oregon Offices for Motor Carrier Registration Services



Oregon recently stopped offering round-the-clock truck registration services at its six Ports of Entry (POE) located throughout the state. The POE Registration Desks are now open from 6 am to 10 pm, except at Farewell Bend in Eastern Oregon, which is open from 7 am to 11 pm Mountain Time. Motor carriers with vehicles entering Oregon during late-night hours must obtain over-dimension, tax, and registration permits prior to entering the state. Carriers can have permits faxed to them in advance if they meet certain requirements and file an authorization for the Motor Carrier Transportation Branch (MCTB) to charge fees to their account. MCTB also now accepts credit card payments by telephone.