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CHAPTER 734

DEPARTMENT OF TRANSPORTATION

HIGHWAY DIVISION

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FILING CAPTION: Variance Permits Issued to Two-Vehicle Combination Fire Suppression Emergency Vehicles

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RULES:

734-082-0005, 734-082-0009

AMEND: 734-082-0005

NOTICE FILED DATE: 03/13/2023

RULE SUMMARY: Definitions applicable to the issuance of Variance Permits.

CHANGES TO RULE:

734-082-0005

Definitions ¶¶

As used in OAR chapter 734, division 82:¶¶

- (1) "Auxiliary axle(s)" is an axle that qualifies as a booster axle, flip axle, or lift axle.¶¶
- (2) "Boom dolly" means a separate vehicle designed to carry part of the weight of a boom.¶¶
- (3) "Booster axle(s)" means a separate vehicle bolted or pinned to another vehicle that redistributes weight from one or more axles to other axles and pivots from side to side at the connection point or has wheels that steer during turning.¶¶
- (4) "Business day" is any day Monday through Friday, except holidays as defined in section (13) of this rule.¶¶
- (5) "Chief Engineer" means the Chief Engineer of the Oregon Department of Transportation or a person designated to act for the Chief Engineer.¶¶
- (6) "CCD" means the Commerce and Compliance Division of the Oregon Department of Transportation.¶¶
- (7) "Daylight hours" means one-half hour before sunrise until one-half hour after sunset.¶¶
- (78) "Dolly" means those devices attached to a frame, deck or load converting the frame to a trailer or semitrailer and is included in the measurement of the trailer. The dolly must bear weight when the permitted vehicle is laden.¶¶
- (89) "Dromedary truck-tractor" means a motor vehicle designed to carry a load on a dromedary box, plate or deck, not exceeding 12'06" in length inclusive of load and designed to pull a semitrailer.¶¶
- (910) "Equivalent Single-Axle Load" (ESAL) means the relationship between actual or requested weight and an 18,000 pound single-axle load as determined by the American Association of State Highway and Transportation Officials Road Tests reported at the Proceedings Conference of 1962.¶¶
- (101) "Fire apparatusEmergency Vehicle" means a vehicle ~~or combination of vehicles designed to be used under emergency conditions to transport personnel~~ and ~~used exclusively for fire suppression or rescue~~

operations. These emergency vehicles and associated loads or equipment are necessary equipment to support the suppression of fires and mitigation of other hazardous situations, operated by firefighters, regularly to protect the public safety and are considered non-divisible loads organized fire departments and/or volunteer firefighters as defined in ORS 652.050.

(142) "Flip axle(s)" means an axle that is bolted or pinned to a vehicle and flips from the closed position on the trailer to a deployed position on the ground extending the length or hauling capacity of the trailer.

(123) "Flip neck extension" means a gooseneck extension to the front of a trailer which can be flipped up or down, and can be used to adjust the axle weight(s) of a combination and load.

(134) "Pinned axle(s)" means a separate vehicle pinned to another vehicle adding extra carrying capacity to a vehicle. The additional axle(s) do not pivot from side to side at the connection point or have wheels that steer during turning.

(145) "Expanded trailer" means a trailer or semitrailer which can be extended in length by adding removable deck section(s).

(156) "Special-use trailer" means a trailer or semitrailer which is specifically designed to haul one type of commodity.

(167) "Tow-Away Trailer" means all equipment or tools mounted on wheels designed for towing by a motor vehicle, and which is not designed or used primarily for the transportation of persons or property, but is only incidentally operated or moved upon a highway.

(178) "Stretch Trailer" means a trailer or semitrailer capable of increasing the distance from the kingpin or coupling device to the rearmost axle. This stretch trailer provision is accomplished by using a "telescoping" principle in the trailer. This does not include fixed or sliding extensions to either end of the trailer or semitrailer or semitrailers with removable deck sections.

(189) "Gross Vehicle Weight Rating" (GVWR) means the gross vehicle weight rating as defined in ORS 801.298.

(1920) "Holiday" for the purposes of these rules means New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day, and includes any other days on which the state officially observes the aforementioned holidays by the closure of State offices.

(201) "Idle Reduction System" means an auxiliary power unit or other device or technology that is used to reduce long-duration idling by allowing the main drive engine or auxiliary refrigeration engine to be shut down.

(212) "Jeep axle(s)" means a separate vehicle connected to a motor vehicle by kingpin to fifth wheel connection. A jeep axle(s) must bear all or part of the weight of the load of another vehicle and must be connected to that other vehicle either by kingpin to fifth wheel connection or a pintle hook.

(223) "Lift axle" means an axle that can be raised from or lowered to the surface of the ground.

(23) "MCTD" means the Motor Carrier Transportation Division of the Oregon Department of Transportation.

(24) "Motor truck" means a motor vehicle that is primarily designed or used for carrying loads other than passengers.

(25) "Non-divisible load" means:

(a) Any load or vehicle exceeding applicable size or weight limits that, if separated into smaller loads or vehicles, would:

(A) Compromise the intended use of the vehicle, i.e., make it unable to perform the function for which it was intended;

(B) Destroy the value of the load or vehicle, i.e., make it unusable for its intended purpose; or

(C) Require more than eight workhours to dismantle using appropriate equipment. The applicant for a non-divisible load permit has the burden of proof as to the number of workhours required to dismantle the load; or

(b) The following loads or vehicles:

(A) Emergency response vehicles, including those loaded with salt, sand, chemicals or a combination thereof, with or without a plow or blade attached in front, and being used for the purpose of spreading the material on highways that are or may become slick or icy;

(B) Casks designed for the transport of spent nuclear materials; and

(C) Military vehicles transporting marked military equipment or materiel.

(26) "Passenger vehicle" or "light vehicle" means a motor vehicle, regardless of design or intended use.

(27) "Permit Weight Table 1" is the table of legal weight found in ORS 818.010.

(28) "Permit Weight Table 2" is the Extended Weight Table used for oversize loads that cannot be reduced in size, except as specified in OAR 734-082-0051 and 734-082-0053, and having authorized divisible load weights. Permit Weight Table 2 is available from MCTCCD as Form 735-8111.

(29) "Permit Weight Table 3" is a table based on two wheelbase weight formulas. The first formula is 1,000 times (the wheelbase in feet plus 40) for groups of axles or combinations of vehicles having 18 feet or less wheelbase. The second formula is 1,200 times (the wheelbase in feet plus 40) for groups of axles, vehicles or combinations of vehicles having more than 18 feet of wheelbase. Permit Weight Table 3 is available from MCTCCD as Form 735-8112.

(30) "Permit Weight Table 4" is a table based on three wheelbase weight formulas. The first formula is 1,200 times (the wheelbase in feet plus 40) for groups of axles or combinations of vehicles having nine feet five inches or less wheelbase. The second formula is 2,200 times (the wheelbase in feet plus 20) when wheelbase is more than nine feet five inches but is not more than 30 feet. The third formula is 1,600 times (the wheelbase in feet plus 40) when wheelbase is more than 30 feet. This table limits maximum weights to no more than 21,500 pounds per axle and 43,000 pounds per tandem axle. Permit Weight Table 4 is available from ~~MCTCCD~~ as Form 735-8113.¶

(31) "Permit Weight Table 5" is a table based on the same three formulas as Permit Weight Table 4, but describes maximum weights up to 24,000 pounds per axle and 48,000 pounds per tandem axle when the combination consists of a steering axle and four or more consecutive tandem axles. Permit Weight Table 5 is available from ~~MCTCCD~~ as Form 735-8114.¶

(32) "Primary haul" means the non-divisible load transported under OAR 734-082-0053.¶

(33) "Road use assessment fee" means a fee for each ESAL mile of travel as established by ORS 818.225.¶

(34) "Secondary haul" means the divisible load transported under OAR 734-082-0053.¶

(35) "Self-propelled fixed load vehicle" means a vehicle with motive power designed and used primarily to support and move a permanent load in the form of equipment or appliances constructed as part of, or permanently attached to, the body of the vehicle.¶

(36) "Stinger steered" is as defined in ORS 801.507.¶

(37) "Transport" means to tow, haul, drive, or otherwise move a vehicle or load on the State highway system.¶

(38) "Truck-tractor" means a motor vehicle designed and used primarily for drawing other vehicles and constructed so as not to carry any load other than a part of the weight of the vehicle or load, or both, as being drawn.

Statutory/Other Authority: ORS ~~184.616~~, 184.619, 810.050, 810.060

Statutes/Other Implemented: ORS 818.220, 818.225

AMEND: 734-082-0009

NOTICE FILED DATE: 03/13/2023

RULE SUMMARY: Parameters for the issuance of variance permits for emergency vehicles.

CHANGES TO RULE:

734-082-0009

Fire Apparatus Emergency Vehicle Authorization

(1) ~~Fire apparatus~~ Emergency vehicles are authorized to operate with a variance permit that is not subject to the maximum limits established in division 82 ~~when:~~

~~(a) Operating within the fire district boundary of the owner of the apparatus, provided the following axle and group axle weights are not exceeded:~~

~~(a) 24,000 pounds on a single steering axle;~~

~~(b) 33,500 pounds on a single drive axle;~~

~~(c) 62,000 pounds on a tandem axle; or~~

~~(d) 52,000 pounds on a tandem rear drive steer axle.~~

(2) Emergency vehicles are authorized to operate with a variance permit when:

(a) Operating within the jurisdiction of the road authority issuing the permit, including any "mutual aid" agreement area;

(b) Operating in response to any emergency act declared by the Governor; or

(c) Maintaining, deploying or re-deploying such ~~fire apparatus~~ emergency vehicle.

(3) ~~Fire apparatus~~ Emergency vehicle operations conducted under a variance permit are subject to the terms of the variance permit, which includes the following:

(a) The fully loaded fire apparatus must be equipped with tires of sufficient size that the gross weight on any wheel, axle, tandem axle, or group of axles does not exceed 635 pounds per inch of tire width or the manufacturer's sidewall tire rating, whichever is less; and

(b) ~~All movements are subject to~~ The weight limitation in effect on any highway, highway section, bridge, or structure. Bridges with weight restrictions on state and interstate highways can be found on the Oregon Road & Bridge Restriction List, which ~~can be found~~ is available online at <http://www.oregontruckingonline.com/cf/MCAD/pubMetaEntry/restrictionsList/>.

(3) ~~4~~ Prior to the original issuance of a variance permit or subsequent renewal for vehicles not previously weighed, the fully loaded fire apparatus must be weighed by ODOT Motor Carrier Enforcement staff to ensure the maximum weight limits described in sections (2) (a) is and (3) above are not exceeded.

Statutory/Other Authority: ~~ORS 184.616, 184.619, 810.050, 810.060, 818.200~~

Statutes/Other Implemented: ORS 818.220, 818.225