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CHAPTER 734

DEPARTMENT OF TRANSPORTATION

DELIVERY AND OPERATIONS DIVISION

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RULES:

734-070-0060, 734-070-0100, 734-070-0110, 734-070-0120, 734-070-0130, 734-070-0140, 734-071-0005, 734-071-0010, 734-071-0015, 734-072-0005, 734-072-0007, 734-072-0010, 734-072-0011, 734-072-0015, 734-072-0020, 734-072-0022, 734-072-0023, 734-072-0025, 734-072-0030, 734-073-0050, 734-073-0051, 734-073-0056, 734-073-0060, 734-073-0065, 734-073-0070, 734-073-0080, 734-073-0100, 734-073-0110, 734-073-0130, 734-073-0140, 734-074-0005, 734-074-0006, 734-074-0008, 734-074-0010, 734-074-0020, 734-074-0023, 734-074-0025, 734-074-0028, 734-074-0030, 734-074-0035, 734-074-0040, 734-074-0045, 734-074-0051, 734-074-0060, 734-074-0070, 734-074-0090, 734-075-0002, 734-075-0005, 734-075-0008, 734-075-0010, 734-075-0020, 734-075-0022, 734-075-0028, 734-075-0035, 734-075-0036, 734-075-0037, 734-075-0041, 734-075-0055, 734-075-0085, 734-077-0005, 734-077-0010, 734-077-0015, 734-077-0020, 734-077-0040, 734-078-0005, 734-078-0010, 734-078-0017, 734-078-0020, 734-078-0025, 734-078-0030, 734-078-0035, 734-078-0040, 734-079-0005, 734-079-0015, 734-079-0025, 734-082-0001, 734-082-0002, 734-082-0003, 734-082-0004, 734-082-0005, 734-082-0006, 734-082-0009, 734-082-0010, 734-082-0011, 734-082-0015, 734-082-0016, 734-082-0020, 734-082-0021, 734-082-0025, 734-082-0030, 734-082-0035, 734-082-0039, 734-082-0040, 734-082-0045, 734-082-0050, 734-082-0051, 734-082-0053, 734-082-0055, 734-082-0060, 734-082-0070, 734-082-0080, 734-082-0085

AMEND: 734-070-0060

RULE TITLE: Pilot Vehicle Operator Traffic Control

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: The sign policy name is outdated in Rule, updating language to correctly name the ODOT policy as "Sign Policy and Guidelines".

RULE TEXT:

(1) Movement of certain oversize loads may require traffic stoppage or other traffic control methods to provide for safe passage of the load. In specified areas where conditions may require traffic control to ensure safe operations with minimal delay to the traveling public, a pilot vehicle operator, certified in traffic control, may direct traffic flow.

(2) Variance permits shall specify required procedures and areas where traffic control by a certified pilot vehicle operator is allowed in lieu of certified flagging.

(3) A pilot vehicle operator must be certified to direct traffic as described in section (1) of this rule. All of the following apply to pilot vehicle operator traffic control certification:

(a) A pilot vehicle operator must attend and satisfactorily complete ODOT training related to directing traffic flow;

(b) The training shall include procedures that provide a process to close a section of highway for the safe passage of an oversize load;

(c) Successful completion of refresher training is required every three years after initial certification; and

(d) Proof of certification must be carried, and made available upon request by law enforcement, when conducting operations under this rule.

(4) When operations are conducted as specified in section (1) of this rule:

(a) At a minimum, a front and rear pilot vehicle are required;

(b) The pilot vehicle designated as lead pilot vehicle shall be equipped with a sign that reads "STOP AHEAD." The "STOP AHEAD" sign (number OW21-1 in the ODOT "Sign Policy & Guidelines", which is available from the Department) shall be:

(A) Mounted above the roofline of the pilot vehicle;

(B) Constructed to ODOT specifications for Type Y5 signs;

(C) Kept clean, legible and mounted adequately to afford full view to oncoming traffic; and

(D) Displayed only during operations conducted pursuant to this rule.

(c) The pilot vehicle designated as rear pilot vehicle shall be equipped to stop oncoming traffic using a handheld stop/slow paddle that is a minimum of 18 inches across; and:

(A) Has internal lighting as listed on the ODOT qualified product list, which is available from the Department; or

(B) Is faced with wide angle prismatic sheeting.

(d) Spacing interval requirements are not applicable to operations conducted under this rule; and

(e) When the oversize load movement through the specified area is completed, the pilot vehicles shall resume their normal signage and positioning.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 184.619, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-070-0100

RULE TITLE: Continuous Operation Variance Permits; Purpose

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating the language of the rule to replace "person" with "motor carrier" and "motor vehicle" to accurately reflect current business practices.

RULE TEXT:

The Department of Transportation is required by ORS 818.205 to establish a program for issuing continuous operation variance permits that would allow a motor carrier to obtain one permit that is valid for every participating jurisdiction in which the motor vehicle will travel. A road authority that does not participate may not issue a continuous operation variance permit offered by this program. The purpose of OAR 734-070-0100 through 734-070-0140 is to provide conditions for participation, program guidelines, and specify responsibilities, liabilities and fees of participants in the Continuous Operation Variance Permit Program.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.205, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.205, 818.220

AMEND: 734-070-0110

RULE TITLE: Definitions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removing definition for "hostfax agreement" as it is no longer a required or current business practice. Additionally, adding language to the definition of "participation" that states the road authority and ODOT may allow or disallow certain permit types, which aligns with current business practice. Finally, renumbering the definitions for consistency.

RULE TEXT:

The following definitions apply to the Continuous Operation Variance Permit (COVP) Program:

- (1) "Agent" means a participating road authority or private contractor authorized by ODOT to issue permits for other jurisdictions participating in the COVP Program.
- (2) "Annual permit" means a continuous operation variance permit that is valid for 12 months.
- (3) "Authorized combination" means two or more vehicles coupled together that exceed the maximum allowable size or weight by ordinance, statute or rule and may be issued a variance permit to operate.
- (4) "Authorized roads" means those public roadways on which a road authority allows authorized combinations to travel.
- (5) "CCD" means the Commerce and Compliance Division of ODOT.
- (6) "Continuous trip permit" or "continuous operation variance permit" means a variance permit issued under a COVP Program agreement to allow unlimited movements, for specified time periods not to exceed one year, for authorized combinations over authorized roads under the agreement.
- (7) "COVP Program" means the Continuous Operation Variance Permit Program.
- (8) "Department" means the Oregon Department of Transportation (ODOT).
- (9) "Local permit" means a variance permit covering operations contained solely within the jurisdiction of a single road authority.
- (10) "Participation" means a road authority has entered into an agreement with ODOT to allow jointly authorized annual or continuous trip permits for authorized roads in its jurisdiction(s), and may allow or disallow certain permit types. Participation is further distinguished by the responsibilities established in the agreement, designated by the following levels:
 - (a) Level 1 — Road authority agrees to participate by authorizing the Department or its agents to issue continuous operation variance permits covered by this program on behalf of the road authority;
 - (b) Level 2 — In addition to Level 1 participation, the road authority agrees to retain authority to issue continuous operation variance permits covered by this program for operations under the road authority's jurisdiction; or
 - (c) Level 3 — In addition to Level 1 and Level 2 participation, the road authority agrees to issue continuous operation variance permits covered by this program for operations in other participating jurisdictions as an agent of the Department.
- (11) "Permit fee" means the total fee charged for a continuous trip permit by all road authorities included on the permit.
- (12) "Road authority" has the same meaning provided in ORS 801.445.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.205, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.205, 818.220

AMEND: 734-070-0120

RULE TITLE: Participation

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating Rule to remove "hostfax agreement" which is no longer a current business practice. Additionally, updated language around road restrictions to be consistent with current practices.

RULE TEXT:

Each road authority choosing to participate in the COVP Program shall enter into an agreement with the Department indicating the road authority's level of participation. Further, each participant shall:

- (1) Provide CCD with an electronic mail address;
- (2) Provide CCD with an authorized permit fee schedule;
- (3) Provide CCD with at least 30 days notice to terminate participation or to change the level of participation; and
- (4) Provide CCD with updated road restrictions as conditions dictate, including emergency road restriction notices.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.205, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.205, 818.220

AMEND: 734-070-0130

RULE TITLE: Permit Issuance

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Replacing all instances of database with permitting system to allow for the replacement of current database with a commercial off the shelf electronic permitting system. Replaced use of "maps and attachments" with provisions and requirements to fully encompass all things required by the participant of the new system, not just maps and attachments.

RULE TEXT:

Each Level 3 participant shall enter into an agreement with the Department to issue continuous trip permits covered by this program. The agreement will provide conditions under which permits shall be issued and provide that:

- (1) The participant shall act as an agent for CCD in the issuance of continuous operation variance permits covered by this program;
- (2) CCD shall provide participant electronic access to the CCD permitting system for use in issuing continuous operation variance permits;
- (3) Participant shall only use the permitting system to perform functions applicable to issuance of continuous operation variance permits;
- (4) The participant shall use the same permit language and all applicable provisions and requirements as provided by ODOT; and
- (5) CCD is the owner of all work product produced under the program.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.205, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.205, 818.220

AMEND: 734-070-0140

RULE TITLE: Permit Fees

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating fee language in (3) to allow for fees under the \$8.00 amount. Additionally, removed the static list of fees from specific jurisdictions. Finally, changed "shall" to "may" as the Department, using this new system, should be able to provide these services to the motor carrier industry without the need to contract with road authorities or private contractors. However, using "may" allows the department to contract to provide these services if necessary.

RULE TEXT:

- (1) Each participating road authority shall provide the Department with a schedule of fees established by the road authority's governing body for permits in the road authority's jurisdiction. Notice of any change in the road authority fee schedule shall be given to the Department in writing at least 120 days in advance of the effective date of the change.
- (2) Oregon Department of Transportation permit fees for the purpose of this rule shall be \$3.00 for permits issued by an agent.
- (3) Except as provided in section (2) of this rule, fees charged for permits under this program shall be up to \$8.00 for each jurisdiction included on the permit unless a different amount is specified by a specific jurisdiction:
- (4) The permit fees established in section (3) of this rule are individually subject to a reduction of \$2.75 if the permit is issued by an agent under contract with ODOT to issue and distribute continuous operation variance permits. If the issuing agent is a road authority, the permit fee for that road authority is not subject to the reduction.
- (5) The Department may contract with participating road authorities and private contractors to provide services necessary to issue and distribute continuous operation variance permits under this program.
- (6) For Level 1 and Level 2 participation, the Department shall forward the road authority's portion of the permit fee to the road authority each month.
- (7) For Level 3 participation, the road authority will retain its portion of the permit fees collected and forward to ODOT the permit fees collected for other road authorities as indicated on a monthly transmittal provided by ODOT.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.205, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.205, 818.220, 818.270

AMEND: 734-071-0005

RULE TITLE: Scope

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division for consistency. Updated the ORS references in (4) to match current ORS that defines recreational vehicles.

RULE TEXT:

(1) Oregon's statutes are basically quite restrictive in establishing length of vehicles, loads, and combinations of vehicles. The lengths established are for those vehicles or combinations which can be operated safely upon any highway including older highways not reconstructed to present day standards.

(2) Nearly all of the state highway system can safely accommodate vehicles and combinations with lengths in excess of those established under the basic statutes. The statutes recognize this by allowing longer lengths on designated highways subject to special permits issued pursuant to ORS Chapters 810 and 818 or under the authority of administrative rules adopted by the Oregon Department of Transportation.

(3) OAR 734-071-0005 through 734-071-0060 do not apply to vehicles authorized by the Surface Transportation Assistance Act of 1982 when operating on National Network Highways or highways where reasonable access beyond one mile has been granted. These vehicles are authorized by OAR 734, Divisions 73 and 74.

(4) OAR 734-071-0005 through 734-071-0060 do not apply to vehicles licensed, or which can be used as recreational vehicles as defined in ORS 174.101(3), or to any combination of more than two vehicles not used exclusively for commercial purposes and subject to ORS Chapter 823 and 825.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 810.060

AMEND: 734-071-0010

RULE TITLE: Designated Highways and Definitions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated the revision dates for maps. Added that these are made available by OD-Permit unit. Made minor naming convention changes for consistency.

RULE TEXT:

(1) The types of vehicles, combinations of vehicles, or loads listed in Table 1 or Table 2 may operate without special permit upon:

(a) Group 1, Group 2 and Group 3 highways as shown on Group Map 1 when the dimensions do not exceed those listed in Table 1 for the corresponding highway group. Group Map 1, revised October 2023, is by reference made part of Division 71 rules and is available from the CCD Over-Dimension Permit Unit; and

(b) Routes listed on Route Map 7 when the dimensions do not exceed those listed in Table 2 for the corresponding route listed in Table 2. Route Map 7, revised August 2023 is by reference made part of Division 71 rules and is available from the CCD Over-Dimension Permit Unit.

(c) Table 1 and Table 2 are available on the CCD website at:

<https://www.oregon.gov/odot/MCT/Documents/Div71tables.pdf>.

(2) Definitions for the purpose of Division 71 rules:

(a) "Auxiliary axle" is an axle that qualifies as a booster axle, flip axle or lift axle;

(b) "Booster axle" 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;

(c) "CCD" means the Commerce and Compliance Division of the Oregon Department of Transportation;

(d) "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;

(e) "Flip axle" 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 and hauling capacity of the trailer;

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

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

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

(i) "Overall length" includes the vehicle or combination of vehicles and any load overhangs. Exclusions to overall length determination are provided in OAR 734-071-0050.

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

(k) "Pickup truck" means a motor vehicle designed to carry passengers and to carry a load and which may not tow more than one vehicle;

(L) "Stinger-steered" is as defined in ORS 801.507;

(m) "Tow-away trailer transporter combination" means a combination of vehicles consisting of a trailer transporter towing unit and 2 trailers or semitrailers with a total weight that does not exceed 26,000 pounds; and in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers.

(n) "Trailer transporter towing unit" means a power unit that is not used to carry property when operating in a tow-away trailer transporter combination; and

(o) "Truck-tractor" means a motor vehicle designed and used primarily for drawing (towing) 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 drawn.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-071-0015

RULE TITLE: Possible Reclassification of Highways Due to Improvements

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removed gendered language when referring to Chief Engineer. Added that Group 1 is by reference made part of these rules and is available through the OD-Permit unit at CCD. These changes align with current business practices.

RULE TEXT:

Improvements may be made to some of the Group 2 and Group 3 highways indicated on Group Map 1, revised October 2023. Those improvements may make it appropriate to reclassify the highway or section of highway to a higher group rating which would allow vehicles or combinations of greater dimension. In this respect the Chief Engineer is authorized to reclassify the group rating of such highways when, in The Chief Engineer's judgment, such a reclassification would not diminish the safety afforded the traveling public. Such reclassification shall be made by a written order signed by the Chief Engineer. Group Map 1 is by reference made part of Division 71 rules and is available from the CCD Over-Dimension Permit Unit.

STATUTORY/OTHER AUTHORITY: ORS 810, 184.616, 184.619, 818

STATUTES/OTHER IMPLEMENTED: ORS 810.060

AMEND: 734-072-0005

RULE TITLE: Scope

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Simplify current language to align with the program changes that will take place when introducing the new COTS electronic permitting system. Removed the unnecessary language about time savings, as information about the benefits of the system will be made readily available to the motor carrier industry via the CCD website.

RULE TEXT:

Division 72 rules establish programs as authorized by ORS 818.220 for electronic issuance of variance permits.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

REPEAL: 734-072-0007

RULE TITLE: Definitions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Proposing to repeal this rule as the definitions in it are no longer applicable once other rules in the Division are repealed and amended. For context, many rules in this Division are being repealed as they no longer apply with the business practices of CCD once the new electronic permitting system goes online.

RULE TEXT:

For purposes of OAR chapter 734, division 72, the following definitions apply:

- (1) "Level I authorization" means a motor carrier may self-issue single trip permits following the telephone application process established in OAR 734-072-0015.
- (2) "Level II authorization" means a motor carrier providing service described in OAR 734-076-0115(4) to independently issue a "pre-authorized" self-issue single trip permit to a specific power unit without calling the Commerce and Compliance Division.
- (3) "Level III authorization" means a motor carrier may independently self-issue single trip permits without contacting the Commerce and Compliance Division.
- (4) "Incident" means an individual occurrence or event.
- (5) "Major Error" means a substantial deviation from accuracy or correctness. Major errors include but are not limited to:
 - (a) Exceeding the weight limits of a weight-restricted bridge;
 - (b) Permitting overheight loads into structures without appropriate traffic control or appropriate routing;
 - (c) Fewer pilot vehicle(s) permitted than are normally required;
 - (d) Incorrect positioning of pilot vehicle(s);
 - (e) Missing or inaccurate road restrictions; and
 - (f) Self-issuing a Level III permit prior to successful completion of a training program administered by the Over-Dimension Permit Unit.
- (6) "Roadway Device" means markers, signs, structures (e.g. guardrail), and/or signal devices used to inform, guide and control traffic, including pedestrians, motor vehicle driver, and bicyclists. These devices are usually adjacent, over or along the highways, roads, traffic facilities and other public areas that require traffic control.
- (7) "Power Unit" means the vehicle with one or more drive axles providing motive power to the ground.
- (8) "Vehicle" means every device in, upon, or by which any person or property can be transported or drawn upon a highway.
- (9) "Electronic Issuance" means providing a copy of the permit to the motor carrier using a method other than delivery via postal mail or pick-up at an authorized ODOT location.
- (10) "Reasonable Grounds" means a set of facts or circumstances which would satisfy an ordinary cautious and prudent person that there is reason to believe and which goes beyond mere suspicion.
- (11) "Satisfactory Safety Rating" means a safety rating other than unsatisfactory.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

REPEAL: 734-072-0010

RULE TITLE: Self-Issuance Program for Variance Permits

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Proposing to repeal this rule as this self-issuance of variance permits program will no longer be operating once the new electronic permitting system goes live.

RULE TEXT:

(1) The self-issuance program for variance permits provides for three levels of authorization:

(a) Level I authorization allows a motor carrier to self-issue single trip permits following the telephone application process established in OAR 734-072-0015;

(b) Level II authorization allows a motor carrier providing service described in OAR 734-076-0115(4) to independently issue a "pre-authorized" self-issue single trip permit to a "specific" power unit without calling the Commerce and Compliance Division; and

(c) Level III authorization allows a motor carrier to independently self-issue single trip permits without contacting the Department.

(2) To qualify for Level I authorization, a motor carrier must make application to the Over-Dimension Permit Unit of the Commerce and Compliance Division located in Salem.

(3) To qualify for Level II authorization, a motor carrier must make application to the Over-Dimension Permit Unit of the Commerce and Compliance Division located in Salem and certify that it has read and understands Level II requirements.

(4) To qualify for Level III authorization, a motor carrier must submit an application to the Over-Dimension Permit Unit of the Commerce and Compliance Division, and the carrier must:

(a) Have an established Motor Carrier Account, register for Oregon Trucking Online and be approved to charge fees to the Motor Carrier Account;

(b) Successfully complete a training program administered by the Over-Dimension Permit Unit. All motor carrier representatives issuing permits under this rule must complete a training program;

(c) Have purchased a minimum of 125 single trip permits for oversize/overweight movements within the 12 months preceding the application for self-issuance of permits;

(d) Sign an agreement of responsibility for the permitted moves;

(e) Have no more than one late highway use tax report as required by ORS 825.139 or Road Use Assessment Fee (RUAF) mileage report as required by OAR 734-082-0003 in the 12 months preceding the application;

(f) Have maintained current vehicle registration or enroll in the weight-mile tax program with the Department during the 12 months preceding application;

(g) Have no suspensions of Commerce and Compliance Division account during the 12 months preceding the application;

(h) Have no more than one late payment of fees due as required by ORS 818.270 in the 12 months preceding the application;

(i) Have no more than a fifteen percent underpayment finding on the most current weight-mile tax audit;

(j) Have no incidents involving damage or potential damage to any roadway, roadway device, or structure as a result of not complying with the provisions of an oversize/overweight permitted movement during the past 12 months preceding the application;

(k) Have a satisfactory safety rating with the United States Department of Transportation, Federal Motor Carrier Safety Administration; and

(L) File proof of general liability insurance with the Commerce and Compliance Division in the amount and manner described in OAR 734-072-0011.

(5) Level III approval to self-issue permits is conditionally approved for six months from the effective date of the initial application. Before expiration of the conditional certification, the Department may review the motor carrier's compliance with the following:

- (a) Qualifications for entry into Level III self-issue permits program, as described in section (4)(b) and (d) to (L) of this rule; and
- (b) Self-issued permits are issued in conformance with the program.
- (6) Motor carriers that comply with the requirements as described in section (5)(a) and (b) of this rule may be recertified for up to two years.
- (7) Unless otherwise required by the Department, subsequent recertification will be required every two years. Before recertifying, the Department may review the motor carrier's compliance with the requirements described in section (5)(a) and (b) of this rule.
- (8) Level I and II authorized carriers may purchase blank permits for the purpose of self-issuance from the Commerce and Compliance Division, Over-Dimension Permit Unit office. The fee for each blank permit form is the fee required under ORS 818.270, not to exceed \$8.00.
- (9) Level III authorized carriers may only self-issue permits through Oregon Trucking Online. The fee for each permit is the fee required under ORS 818.270, not to exceed \$8.00.
- (10) The Department may revoke the ability for the carrier to participate in the Self-Issue Permits Program after investigation, if there is reasonable grounds to believe the carrier violated one or more provisions of permit issued under this program.
- (11) The Administrator of the Commerce and Compliance Division may waive the requirements described in Sections (4) to (7) of this rule.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

REPEAL: 734-072-0011

RULE TITLE: Liability Insurance Requirements for Self-Issuance of Variance Permits

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Proposing the repeal of this rule as this program will no longer be operating when the new electronic permitting system is online.

RULE TEXT:

- (1) The requirement described in OAR 734-072-0010(4)(L) must include evidence of general liability insurance having an annual aggregate limit of not less than \$2,000,000.
- (2) Evidence of insurance filing shall be in the form of a certificate of insurance signed by the motor carrier's insurer or in any other manner the Department requires.
- (3) If a general liability insurance policy required by OAR 734-072-0010(4)(L) becomes invalid, participation in the self-issuance of variance permits program shall cease and be suspended until an insurance policy meeting the requirements of this section becomes effective and is accepted by the department.
- (4) The general liability insurance filing required by OAR 734-072-0010(4)(L) must be in addition to the automobile liability insurance filing requirement found in ORS 825.160.

STATUTORY/OTHER AUTHORITY: ORS 184.616, 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

REPEAL: 734-072-0015

RULE TITLE: Telephone Application for Self-Issued Variance Permit

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Proposing the repeal of this rule as this program will no longer be operating when the new electronic permitting system is online.

RULE TEXT:

(1) The applicant authorized to self-issue permits at Level I must telephone the Commerce and Compliance Division, Over-Dimension Permit Unit during business hours, Monday through Friday between 7 a.m. and 5 p.m. Pacific Time.

(2) During telephone contact, the permit analyst will review the permit request based upon information furnished by the applicant.

(3) The permit analyst determines if it is appropriate to issue the requested permit. In making the determination, the permit analyst compares the request to the rules and statutes relating to oversize/overweight movement. If the dimensions and weights requested require further analysis, a later call to the applicant may be necessary.

(4) When it is appropriate to issue the requested permit, the permit analyst will inform the applicant of the terms and conditions of the permit. The applicant will, at that time, enter the terms and conditions upon the permit form. The applicant must furnish the preprinted number of the permit form to the permit analyst.

(5) When the applicant has entered upon the permit form the terms and conditions furnished by the permit analyst, the variance permit is valid.

(6) The applicant must send a copy of the completed permit to the Over-Dimension Permit Unit, 455 Airport Road SE, Building A, Salem OR 97301, within 15 days of the effective date of the permit.

(7) The Department may compare copies of Level I self-issued permits to the telephone application for permit provided by the applicant under this rule for the purpose of verifying permit accuracy and compliance with division 72 rules.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

REPEAL: 734-072-0020

RULE TITLE: Additional Requirements for Self-Issuance of Variance Permits

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Proposing the repeal of this rule as this program will no longer be operating when the new electronic permitting system is online.

RULE TEXT:

(1) When self-issuing a variance permit, the carrier must meet all information requirements contained in ORS 818.225.

(2) A carrier self-issuing permits under Level III authorization must coordinate all moves with the appropriate city or county jurisdictions, as required.

(3) Any incident involving damage or potential damage to any roadway, roadway device or structure resulting from a permitted move under the programs established by division 72 rules must be reported to the Commerce and Compliance Division Over-Dimension Permit Unit Manager in Salem within 24 hours of the occurrence.

(4) Level I and II permit forms consist of an original and one copy. The original permit and attachments must be in the possession of the driver of the permitted vehicle as provided under ORS 818.350. The carrier must submit the Road Use Assessment Fee (RUAFF) billing calculation and payment along with the Salem copy of the permit, within 15 days from the end of the month in which the permit was issued, to the Over-Dimension Permit Unit, 455 Airport Road SE, Building A, Salem OR 97301.

(5) Level III permits are printed at the motor carrier's place of business through Oregon Trucking Online. The permit and attachments must be in the possession of the driver and the permitted vehicle as provided under ORS 818.350. The carrier must report and pay any Road Use Assessment Fees (RUAFF) as described in OAR 734-082-0003.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-072-0022

RULE TITLE: Program for Electronic Issuance of Single-Trip Variance Permits

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating the methods for application and reception for a single-trip permit to align with future business practices once the new electronic permitting system is online.

RULE TEXT:

The program for issuance of single-trip variance permits allows carriers to apply for permits in person or online. The completed permit may be mailed, transmitted electronically, or made available online for the applicant.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

REPEAL: 734-072-0023

RULE TITLE: Requirements of Carrier to Receive Permits Electronically

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Proposing the repeal of this rule as it will no longer apply once the new electronic permitting system is online.

RULE TEXT:

(1) In order for a carrier to qualify to receive single trip variance permits electronically the carrier must provide the Over-Dimension Permit Unit a telephone number that allows for the automatic, unattended reception of single trip variance permits.

(2) Carriers that are not subject to ORS 825.474 or 825.480 or do not meet the exemption requirements under ORS 818.200(2) are not eligible to receive permits electronically;

STATUTORY/OTHER AUTHORITY: ORS 184.616, 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-072-0025

RULE TITLE: Limitations on Single-Trip Variance Permits

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removing self-issued permit language as it no longer applies once the new electronic permitting system is online. Additionally, removing (3) as it is also no longer applicable to CCD business practices.

RULE TEXT:

(1) Single-trip permits variance permits authorize only single-trip movement.

(2) Approved routes consist only of those highways specified on the permit. Separate authorization must be obtained for travel over any other highway, road or street.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-072-0030

RULE TITLE: Cancellation of Permits

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removing reference to self-issue permits and authorization language as neither are going to apply when the new electronic permitting system is online. Removed numbering as it is no longer necessary.

RULE TEXT:

The cancellation authority granted under ORS 818.220 will apply to and govern the cancellation of single-trip variance permits.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-073-0050

RULE TITLE: Purpose and Scope

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalizing "Chapter" and "Division" for consistency. Correcting ORS references.

RULE TEXT:

(1) The purpose of OAR Chapter 734, Division 73 is to:

(a) Implement federal laws for combinations of vehicles, sizes and weights; and

(b) Continue issuing permits for similar commercial combinations of vehicles on designated state highways.

(2) Division 73 rules apply to the operation, over designated state highways, of certain vehicles and vehicle combinations described in Sections 411, 412 and 416 of Public Law 97-424, also known as the "Surface Transportation Assistance Act of 1982", hereinafter referred to as STAA 1982 and available from the Commerce and Compliance Division (CCD) Over-Dimension Permit Unit. Section 411 of STAA 1982, 49 U.S.C. secs. 3111-3112, relates to the lengths of truck-tractor with semitrailer combinations and truck-tractor with semitrailer and trailer combinations. Section 412(a)(2) of STAA 1982 relates to bus length and reasonable access. Division 73 rules also authorize special equipment transporting logs.

(3) When a conflict between OAR Chapter 734, Division 71 and Division 73 occurs and the conflict will result in the loss of Federal funds, Division 73 rules must prevail for the specified combinations of vehicles when operating on National Network Highways and those other highways where reasonable access beyond one mile has been granted.

(4) Drivers of all combinations of vehicles authorized by OAR Chapter 734, Division 73, must have a valid commercial driver license appropriate for the combination of vehicles being operated.

(5) OAR Chapter 734, Division 73 does not apply to vehicles licensed as, or which can be used as, recreational vehicles as defined in ORS 174.101(3) or to any combination of more than two vehicles not used exclusively for commercial purposes and subject to ORS Chapters 823 and 825.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 810.050, 818.030, 818.200, 818.220

AMEND: 734-073-0051

RULE TITLE: Definitions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalizing Division for consistency.

RULE TEXT:

As used in Division 73 rules, the following definitions shall apply:

- (1) "Automobile transporter" means a combination of vehicles that transports vehicles on a semitrailer and may also transport vehicles on the power unit behind the cab or on an over-cab rack.
- (2) "Automobile transporter towing stinger-steered semitrailer" means an automobile transporter having the fifth-wheel assembly mounted on a stinger or extension to the framework of the truck. The fifth-wheel connection must be behind and below the axle in front of it.
- (3) "Boat transporter" means a combination of vehicles that transports boats on a semitrailer and may also transport boats on the power unit behind the cab or on an over-cab rack.
- (4) "Boat transporter towing stinger-steer semitrailer" means a boat transporter having the fifth-wheel assembly mounted on a stinger or extension to the framework of the truck. The fifth-wheel connection must be behind and below the axle in front of it.
- (5) "Bus" means a vehicle designed and operated exclusively to transport not less than 10 persons excluding the driver, primarily for hire. The term "bus" does not include motor homes or busses converted or used for any other purpose.
- (6) "CCD" means Commerce and Compliance Division of the Oregon Department of Transportation.
- (7) "Drive-away saddlemount vehicle transporter combination" and "drive-away saddlemount with fullmount vehicle transporter" means a combination of vehicles consisting of a truck-tractor that tows not more than three saddlemounted vehicles. These vehicles may also include not more than one fullmounted vehicle.
- (8) "Fullmount" means a smaller vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination.
- (9) "Overall length," as used in Division 73 is as defined in OAR 734-071-0010(2)(i).
- (10) "Saddlemount" means vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The saddle is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection.
- (11) "Traditional automobile transporter" means an automobile transporter having the fifth-wheel assembly over the drive axle(s) and towing a semitrailer. The power unit may include a framework or other assembly that provides the ability to also transport automobiles.
- (12) "Traditional boat transporter" means a boat transporter having the fifth-wheel assembly over the drive axle(s) and towing a semitrailer. The power unit may include a framework or other assembly that provides the ability to also transport boats.
- (13) "Truck-tractor semitrailer-semi-trailer" means a combination of vehicles consisting of a truck-tractor which also tows two semitrailers connected by kingpin to fifth-wheel assemblies. These combinations of vehicles do not have an intermediate converter dolly between the two semitrailers which is normally used in double trailer operations. This is commonly referred to as a 'B-Train.'

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.030, 818.200, 818.220

AMEND: 734-073-0056

RULE TITLE: Truck-Tractor and Semitrailer Combinations — National Network Highways

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating revision date for Route Map 7. Revising language for better readability.

RULE TEXT:

(1) The Federal Highway Administration determined Oregon's grandfathered semitrailer length to be 53 feet, allowed by the STAA 1982. The length of a semitrailer operated in Oregon on the National Network Highways designated by the STAA 1982 must not exceed 53 feet. The overall length is not restricted.

(2) The length of any load carried on the semitrailer authorized in section (1) of this rule must not extend beyond the rear of the semitrailer by more than five feet.

(3) The National Network Highways in Oregon approved for operation by this rule consist only of those highways listed in Code of Federal Regulations Title 23, Part 658, Appendix A. These routes are shown in green on Route Map 7, revised August 2023. Route Map 7 is by reference made part of Division 73 rules, and is available from the CCD Over-Dimension Permit Unit.

(4) A permit is not required for the dimensions and routes authorized by this rule.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 810.050, 818.030, 818.200, 818.220

AMEND: 734-073-0060

RULE TITLE: Truck-Tractor with Semitrailer Combinations — State-Approved Highways

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Adding revision date for Route map 7. Adding that Route map 7 is by reference made part of these Division rules and made available through the OD permit unit at CCD. These changes promote consistency within the Division.

RULE TEXT:

(1) The length of a semitrailer in a truck-tractor and semitrailer combination shall not exceed 53 feet. The overall length of the combination shall not exceed 65 feet.

(2) The length of any load carried on the semitrailer authorized in section (1) of this rule, shall not extend beyond the rear of the semitrailer by more than five feet.

(3) State approved highways for the movement of combinations of vehicles described in section (1) of this rule, shall consist of the state highways designated by the Chief Engineer. The list of approved highways and types of vehicle combinations authorized are maintained by the Chief Engineer, and are displayed in black on Route Map 7, revised August 2023. Route Map 7 is by reference made part of Division 73 rules, and is available from the CCD Over-Dimension Permit Unit.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.616, 184.619, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-073-0065

RULE TITLE: Truck-Tractor with Semitrailer and Trailer Combinations and Truck-Tractor with Semitrailer and Semitrailer Combinations

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated the revision date for Group Map 1, added revision date for Route Map 7, and included language on maps being available from CCD OD Permit Unit to promote consistency of rules within the Division. Removed note about publications as all these maps are available through CCD and will be included as attachments to the rules on SOS site.

RULE TEXT:

- (1) The maximum length of any semitrailer or trailer in a truck-tractor with semitrailer and trailer or truck-tractor with semitrailer and semitrailer combination must not exceed 40 feet.
- (2) The overall length of the combination is not restricted; however, the maximum dimension when measured from the front of the first semitrailer to the rear of the second semitrailer or trailer must not exceed those dimensions set forth in section (3) of this rule.
- (3)(a) Provided the distance from the front of the first semitrailer to the rear of the second semitrailer or trailer does not exceed 60 feet, the combination of vehicles may operate over Group 1 highways. Group 1 highways are shown on Group Map 1, revised October 2023. Group Map 1 is by reference made part of Division 73 rules and is available from the CCD Over-Dimension Permit Unit.
- (b) If the distance from the front of the first semitrailer to the rear of the second semitrailer or trailer is more than 60 feet but does not exceed 68 feet, the combination of vehicles may operate over those state highways listed in Code of Federal Regulations Title 23, Part 658, Appendix A, and are displayed on Route Map 7, Revised August 2023. Route Map 7 is by reference made part of Division 73 rules, and is available from the CCD Over-Dimension Permit Unit;
- (c) The distance from the front of the first semitrailer to the rear of the second semitrailer or trailer must not exceed 68 feet; and
- (d) The length of any load carried on the semitrailer or trailer of a truck-tractor with semitrailer and trailer or truck-tractor with semitrailer and semitrailer combination as described in this rule must not extend beyond the rear of the semitrailer or trailer by more than five feet.
- (4) A permit is not required for the dimensions and routes authorized by this rule.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-073-0070

RULE TITLE: Revisions to Approved Routes

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removing gendered language for the Chief Engineer.

RULE TEXT:

(1) The Chief Engineer, or designee, may add by written order additional state highways or sections thereof, and specify the type(s) of vehicle combinations allowed by these rules. In taking such action, the Chief Engineer:

- (a) Shall determine if the public interests will be served;
- (b) Shall determine that the movement can be made in safety; and
- (c) Shall have a trial test run conducted if considered appropriate.

(2) The Chief Engineer may delete by written order certain highways or sections thereof and may limit the vehicle combinations allowed. Such action may be taken for reasons of safety. The Chief Engineer shall seek the concurrence of the Federal Highway Administration for those highways listed in Code of Federal Regulations Title 23, Part 658, Appendix A.

STATUTORY/OTHER AUTHORITY: ORS 810, 184.619, 818

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-073-0080

RULE TITLE: Maximum Weight Limit on Interstate Highways

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated Bridge Weight Table to Permit Weight Table according to table name change. Added revised date for the table, and added language about the table being made part of Division 73 rules, and being available from the CCD OD Permit Unit. Removed editor note as the table will be made available by CCD and as attachments to the rules on SOS website.

RULE TEXT:

(1) The following provisions apply to maximum weights allowed on interstate highways without a permit:

(a) The provisions of Title 23 Code of Federal Regulations, Part 658 are applicable to the National System of Interstate and Defense Highways, and reasonable access thereto.

(b) The maximum gross vehicle weight shall be 80,000 pounds except where lower gross vehicle weight is dictated by Permit Weight Table 1, revised January 2023. Permit Weight Table 1 is by reference made part of Division 73 rules, and is available from the CCD Over-Dimension Permit Unit.

(c) The maximum gross weight upon any one axle, including any one axle of a group of axles of a vehicle is 20,000 pounds.

(d) The maximum gross weight on tandem axles is 34,000 pounds.

(e) The maximum gross weight on two or more consecutive axles may not exceed the limitations specified in Permit Weight Table 1, revised January 2023. This table of weights was developed using the following formula, referred to as the Bridge Gross Weight Formula:

LN

$$W = 500 (N - 1 + 12N + 36)$$

where L is the distance between two or more axles, N is the number of axles of a group of axles and W is the weight in pounds, except that two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the overall distance between the first and last axle is 36 feet or more.

(2) Permits may be issued without regard to section (1) through (5) of this rule for vehicles and loads which cannot be dismantled or divided (non-divisible loads) without incurring substantial costs or delay.

(3) Permits may be issued for vehicles or combinations of vehicles authorized by ORS Chapter 818 and OAR 734, Division 74.

(4) The provisions of this rule do not apply to single, or tandem axle weights, or gross weights legally authorized under Oregon law on July 1, 1956. The group of axles requirements established in this section shall not apply to vehicles legally grandfathered under Oregon group of axle weight tables or formulas on January 4, 1975.

(5) Permits may be issued for two consecutive tandem axles having a loaded weight of 34,000 pounds each, provided the distance between the first and last axles of the two tandem axles is 30 feet or more.

(6) Permits may be issued for a group of four axles consisting of a set of tandem axles and two axles spaced nine feet or more apart that have a loaded weight of 70,000 pounds provided the distance between the first and last axles of the group is 35 feet or more.

STATUTORY/OTHER AUTHORITY: ORS 810, 184.619, 818

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-073-0100

RULE TITLE: 65-Foot Tractor-Semitrailer Combinations

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Added revised date for Route Map 7 and updated language to be consistent with other rules referencing Route Map 7.

RULE TEXT:

Tractor-semitrailer combinations having an overall length in excess of 60 feet, but not exceeding 65 feet, may operate over certain designated highways. In such combinations the semitrailer may not exceed 48 feet. Designated highways where these combinations may operate are restricted to the following:

- (1) Any state highway or section thereof which has two or more lanes of travel in the same direction.
- (2) The highways indicated in black on Route Map 7, revised August 2023. Route Map 7 is by reference made part of Division 73 rules, and is available from the CCD Over-Dimension Permit Unit.
- (3) Such additional highways which, after investigation and consideration, the Chief Engineer may deem capable of safely accommodating the described combinations of vehicles. Trial test runs may be required in determining additional route approval.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619, 818.200, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.030, 818.200, 818.220

AMEND: 734-073-0110

RULE TITLE: Specialized Equipment — Automobile/Boat Transporters

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating language around the Route colors for consistency. Added revised dates for all maps. Updated language around reference and availability for these maps to be consistent across rules of the Chapter and Division.

RULE TEXT:

The Federal Highway Administration determines Automobile/Boat Transporters are Specialized Equipment as provided by 23 Code of Federal Regulations 658.13(e).

(1) Traditional automobile/boat transporters may operate without a permit on National Network Highways (designated Green Routes on Route Map 7, revised August 2023) and Route Map 7 designated Brown, Purple and Black Routes with an overall length of 65 feet. The overall length determination excludes load overhangs, provided the load does not extend beyond the front of the power unit by more than four feet and does not extend beyond the rear of the trailer by more than five feet. Such combinations may operate without individual vehicle length restrictions. Route Map 7 is by reference made part of Division 73 rules, and is available from the CCD Over-Dimension Permit Unit.

(2) Traditional auto/boat transporters (truck tractor and semitrailer combinations) may operate without a permit on National Network Highways (designated Green Routes on Route Map 7, revised August 2023) or Route Map 7 designated Brown Routes and exceed a length of 65 feet, provided the semitrailer does not exceed 53 feet in length, inclusive of ramps, and the load does not extend beyond the front of the power unit by more than four feet and does not extend beyond the rear of the semitrailer by more than five feet.

(3) Automobile/boat transporters towing stinger-steered trailers may operate without a permit on National Network Highways (designated Green Routes on Route Map 7, revised August 2023) and Route Map 7 designated Brown Routes with a length of 80 feet, excluding load overhangs, provided the load does not extend beyond the front of the power unit by more than four feet and does not extend beyond the rear of the trailer by more than six feet. Such combinations may operate without individual vehicle length restrictions.

(4) Automobile/boat transporter operations other than those described in this rule shall not exceed the length restrictions as shown on the reverse of Group Map 1, revised October 2023 or Route Map 7, revised August 2023, whichever is greater. Group Map 1 is by reference made part of Division 73 rules, and is available from the CCD Over-Dimension Permit Unit.

(5) Automobile/boat transporters are authorized to transport automobiles/boats on racks above and behind the power unit cab.

(6) Automobile/boat transporters are authorized to have load protection devices or aerodynamic devices provided the devices do not exceed legal load extensions as defined in section (2) of this rule and the device is not load bearing.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.100, 818.200, 818.220

AMEND: 734-073-0130

RULE TITLE: Specialized Equipment — Drive-Away Operations

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Spelled out CFR to Code of Federal Regulations for ease of reference and readability.

RULE TEXT:

The Federal Highway Administration determines Drive-away saddlemount vehicle transporter combinations are Specialized Equipment as provided by 23 Code of Federal Regulations 658.13(e)(iii).

(1) A Drive-away saddlemount vehicle transporter combination or a Drive-away saddlemount with fullmount vehicle transporter may operate without permit on National Network Highways with an overall length limit of 97 feet.

(2) All Drive-away saddlemount vehicle transporter combinations must comply with all applicable safety regulations of 49 Code of Federal Regulations 393.71.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619, 818.200, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.030, 818.200, 818.220

AMEND: 734-073-0140

RULE TITLE: Specialized Equipment for Transporting Logs or Poles

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removed hyphen in "log-truck" to be consistent with business practice. Added language for Route Map 7 to be consistent with other changes in the Division. Removed editor's note for consistency.

RULE TEXT:

(1) As used in OAR Chapter 734, Division 73, the following two combinations of vehicles are considered the same as a truck-tractor with semitrailer and trailer combinations:

(a) A combination of vehicles capable of carrying no more than two loads of logs placed end to end consisting of a log truck and pole trailer pulling a trailer; or

(b) A combination of vehicles transporting logs and consisting of a log truck and two load carrying stinger-steered pole trailers with the first stinger-steered pole trailer supporting one end of logs loaded on the log truck and one end of logs loaded on the second stinger-steered pole trailer.

(2) The following conditions apply to the vehicle combinations described in section (1) of this rule:

(a) These combinations of vehicles may not travel unladen and must only be used to transport logs or poles;

(b) The distance measured from the log bunk on the truck to the rear of the second stinger-steered pole trailer or trailer shall not exceed 68 feet;

(c) The reach of a pole trailer may not extend more than five feet from the end of the tunnel housing; and

(d) The overall length is not restricted.

(3) No part of any load carried on the trailer or the second stinger-steered pole trailer shall extend beyond the rear more than five feet.

(4) The routes approved for operation of these combinations of vehicles consist only of those highways listed in Code of Federal Regulations Title 23, Part 658, Appendix A and other approved highways as displayed on Route Map 7, revised August 2023. Route Map 7 is by reference made part of Division 73 rules and is available from the CCD Over-Dimension Permit Unit.

STATUTORY/OTHER AUTHORITY: ORS 810.030, 184.619, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.030, 818.200, 818.220

AMEND: 734-074-0005

RULE TITLE: Scope

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division and Chapter and removed leading zero in Division numbers for consistency. Updated ORS references for accuracy.

RULE TEXT:

(1) OAR Chapter 734, Division 74 shall apply to and govern the issuance of permits for movement of certain vehicle combinations having a total gross weight in excess of 80,000 pounds. The loads carried by these vehicles may be of a nature which are reducible or can be readily dismantled.

(2) OAR Chapter 734, Division 74 does not apply to any power unit with a registered gross weight of less than 26,000 pounds or those power units having an actual weight of 8,000 pounds or less.

(3) OAR Chapter 734, Division 74 does not apply to vehicles licensed, or which can be used as recreational vehicles as defined by ORS 171.101(3), or to any combination of more than two vehicles not used exclusively for commercial purposes and subject to ORS Chapters 823 and 825.

STATUTORY/OTHER AUTHORITY: ORS 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0006

RULE TITLE: Driver Responsible for Operation

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division and Chapter for consistency.

RULE TEXT:

The driver of any combination of vehicles authorized by OAR Chapter 734, Division 74 is responsible for complying with all permit requirements and provisions. If the driver, police officer or Department of Transportation determines conditions are hazardous, the permitted vehicle shall leave the highway at the next available exit, truckstop or rest area and shall not proceed until the hazardous condition abates. Drivers of all combinations of vehicles authorized by Division 74 rules must have a valid driver license appropriate for the combination of vehicles being operated.

STATUTORY/OTHER AUTHORITY: ORS 810.030, 184.619, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0008

RULE TITLE: Definitions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removing definitions that are no longer necessary based on other rule changes and changes in business practices. These changes promote consistency in rule.

RULE TEXT:

As used in Division 74 rules:

(1) "Auxiliary axle" is an axle that qualifies as a booster axle, flip axle or lift axle and when attached to the rear of a trailer shall be included in the measurement of the trailer.

(2) "Booster Axles(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.

(3) "CCD" means the Commerce and Compliance Division of the Oregon Department of Transportation.

(4) "Converter dolly" means those devices towed behind a vehicle and used to convert a semitrailer to function as a self-supporting trailer.

(5) "Dromedary truck-tractor" means a motor truck designed to carry a load and also pull a semitrailer by using a kingpin to fifth wheel connection. Unless specifically authorized, a dromedary truck-tractor may not tow a stinger steered trailer.

(6) "Flip axle" 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 and hauling capacity of the trailer.

(7) "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.

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

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

(10) "New generation wide base single tire" means a tire that has a nominal section width over 14 inches and a ratio of width to height less than or equal to 55.

(11) "Reasonably uniform in length" as used in ORS 818.210, means a variance of not more than eight feet from the longest to shortest self-supporting trailers or semitrailers within the authorized combination of vehicles. It does not include the length of a converter dolly when used to convert a semitrailer to a self-supporting trailer.

(12) "Tandem drive axles" means two or more axles spaced more than 40 inches but not more than 96 inches apart, neither of which can be raised from the surface of the ground, and where no one axle carries less than forty percent (40%) of the tandem axle weight. Each axle of a tandem drive axle shall have four tires or each axle may have two tires if tire width is at least 15 inches and each axle transmits motive power to the road surface. Any weight controls for the tandem axles on a power unit must be designed, installed and used such that the axles always distribute the load so no axle, tandem axle or group of axles exceeds the legal weight limits or bridge formula limits. All axle assemblies of the tandem drive axles (including axles, tires, brakes) must be adequate to carry the weight loading but may not have less than a 20,000 pound rating for each axle.

(13) "Truck-Tractor" means a motor vehicle designed and used primarily for drawing (towing) 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 drawn.

(14) "Variable-load suspension axle" means an axle that can vary the amount of weight being transmitted to the surface of the road by adjustments made by the driver. Examples of adjustments available to the driver include, but are not limited to, the use of tool(s), lock and key, pressure regulators with handles or knobs. The term variable load suspension axle does not include use of devices such as height control valves, axles controlled by devices that raise the axle when the vehicle moves backward or pre-set pressure regulators which are not adjustable by the driver.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0010

RULE TITLE: Vehicle Combinations Eligible for Permits

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating Chapter and Division references to be consistent. Updated the revised dates for Route Map 7. Added the language that Route Map 7 is part of Division 74 rules and is available from CCD OD Permit Unit.

RULE TEXT:

(1) The following vehicle combinations are eligible for permits issued under OAR Chapter 734, Division 74 as long as they are in compliance with all applicable rules in OAR Chapter 734, Division 74:

(a) Combinations of vehicles described in ORS Chapter 818 that meet the requirements of OAR 734-074-0005;

(b) Combinations of vehicles described in OAR Chapter 734, Division 71;

(c) Combinations of vehicles described in OAR Chapter 734, Division 73;

(d) Combinations of vehicles that include a dromedary truck-tractor having a dromedary box, plate or deck not exceeding 12-feet, 6-inches in length including any load overhang on the dromedary box, plate or deck, provided the overall length does not exceed that authorized by ORS Chapter 818, OAR Chapter 734, Division 71 or Division 73, whichever is appropriate for the combination of vehicles and the route of travel;

(e) A dromedary truck-tractor having a dromedary box, plate or deck not exceeding 17-feet, 6-inches in length including any load overhang on the dromedary box, plate or deck, towing one stinger-steered semitrailer which is not longer than 53 feet and having an overall length of not more than 75 feet and operating on Group 1 Highways established in OAR 734-071-0010;

(f) A laden or unladen combination of vehicles designed and used exclusively to transport overseas marine containers that are enroute to or from a marine port or an intermodal transportation facility. Travel is authorized only on routes indicated in green on Route Map 7, revised May 2020. Route Map 7 is by reference made a part of Division 74 rules and is available from the CCD Over-Dimension Permit Unit. The semitrailer may not be longer than 53 feet, and overall length must be 105 feet or less. This combination of vehicles may consist of not more than one truck-tractor, one jeep, one overseas marine container trailer and one booster axle; and

(g) A combination of vehicles commonly known as triples, consisting of a motor truck and two self-supporting trailers, or a truck tractor and semitrailer drawing two self-supporting trailers or semitrailers mounted on dollies equipped with fifthwheels having an overall length not in excess of 105 feet. The self-supporting trailers must be reasonably uniform in length. A motor truck in this combination may not exceed 35 feet in overall length. This combination of vehicles may tow an unladen dolly used to transport a third load carrying semitrailer, provided the combination, including the dolly, does not exceed 85 feet.

(h) A truck tractor and 2 property-carrying units, if:

(A) The carrier has an established Motor Carrier Account and is approved to charge fees to the Motor Carrier Account.

(B) The length of the property-carrying units does not exceed 82 feet 8 inches;

(C) The combination is used only to transport sugar beets; and

(D) The operation occurs on US20, US26, US30, or OR201 in the vicinity of, or between any of Vale, Ontario, or Nyssa.

(2) The maximum allowable overall lengths for vehicles described in subsections (1)(a) through (c) of this rule are as follows:

(a) For combinations of vehicles described under subsection (1)(a) of this rule, those lengths indicated in ORS Chapter 818 that comply with OAR 734-074-0005;

(b) For combinations of vehicles described under subsection (1)(b) of this rule, those lengths described in OAR 734, division 71; and

(c) For combinations of vehicles described under subsection (1)(c) of this rule, those lengths described in OAR 734, division 73.

(3) A lift or variable load axle(s) may be allowed. The following conditions apply:

(a) The controls for the lift axle may be mounted inside the cab of the power unit provided that it limits the axle

movement to the complete up or complete down position;

(b) The control for a variable load, or lift axle, which allows adjustment to increase or decrease loading on the vehicle must not be accessible from the cab;

(c) The lift or variable load axle must be deployed, and distribute the weight of the load, when failure to do so results in any tire, axle, tandem axle or group of axles exceeding the weight limits allowed by OAR 734-074-0020; and

(d) The lift axle assembly (including axles, tires, brakes) must be adequate to carry the weight of the load.

(4) When the weight difference between any trailer or semitrailer of a triple trailer combination is 1,500 pounds or more, the trailers must be placed from the heaviest to the lightest, with the lightest trailer placed to the rear of the combination.

(5) Triple trailer combinations must have a visible and fully operable method of adjustment to eliminate slack in the hitch mechanism. The device used may be air chamber operated or it may be adjustable by a mechanical cam method.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0020

RULE TITLE: Maximum Weights Allowed

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Revised title and rule language to say "weights allowed" instead of "allowable weights" to be consistent with business practices. Updated table names for consistency. Added language regarding each of the tables referenced to maintain consistency with other rules in the Division.

RULE TEXT:

- (1) Except as described in (10), the maximum weights allowed for single axles and tandem axles must not exceed those specified under ORS 818.010(1) and (2).
- (2) Except as described in (10), when the loaded weight of a group of axles, vehicle, or combination of vehicles is 80,000 pounds or less, the maximum weights allowed must not exceed those specified under ORS 818.010(3).
- (3) Except as described in (10), when a group of axles or gross weight is more than 80,000 pounds, the maximum weights allowed must not exceed those allowed by Permit Weight Table 2, revised January 2023. Permit Weight Table 2 is by reference made part of Division 74 rules and is available from the CCD Over-Dimension Permit Unit. In no case may gross weight exceed the sum of the permissible axle, tandem axle or group of axle weights, whichever is less.
- (4) In no case may any rim or wheel carry more weight than that specified by the manufacturer of the rim or wheel.
- (5) All single axles of triple trailer combinations must have either four tires or two new generation wide base single tires, except for the power unit steering axle and lift axles that may have two tires. Tires on each axle must be of the same size and construction unless the vehicle encounters a tire problem and is in route for tire servicing. Use of new generation wide base single tires is allowed provided that the legal weight of the vehicle, axle or tire load rating is not exceeded.
- (6) For purposes of Division 74 rules, the axle(s) of a converter dolly or dolly are not included in determining authorized weight unless those axles carry part of the weight of the cargo being transported.
- (7) In any triple trailer combination, the first two cargo carrying units, including the power unit, may not weigh more than 80,000 pounds unless equipped with tandem drive axles.
- (8) The exception described in ORS 818.030(10) and 818.340(4) is limited to the actual weight of the idle reduction system, not to exceed 550 pounds. In order to qualify for the exception, the operator of the vehicle may be required to prove:
 - (a) By written certification the weight of the auxiliary power unit; and
 - (b) By demonstration or certification that the idle reduction technology is fully functional.
- (9) A vehicle that uses natural gas as its fuel source, or is powered primarily by means of an electric battery, may exceed the weight limitations established under ORS 818.010 by not more than 2,000 pounds.
- (10) The vehicle combination described in OAR 734-074-0010 (1)(h) may not exceed the following weights:
 - (a) The axle and group axle weights shown on Permit Weight Table 4, revised January 2023. Permit Weight Table 4 is by reference made part of Division 74 rules, and is available from the CCD Over-Dimension Permit Unit.
 - (b) A gross weight of 129,000 pounds.
 - (c) When the gross weight exceeds 98,000 pounds, Road Use Assessment Fees as described in ORS 818.225 must be paid.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.010, 818.030, 818.200, 818.220, 818.340

AMEND: 734-074-0023

RULE TITLE: Application for Permit

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated how applications for permits can be made, and how they will be made available to the applicant. These changes are consistent with business practices. Added required application information.

RULE TEXT:

(1) Application for permits may be made in person or online. The completed permit may be mailed, transmitted electronically, or made available online for the applicant.

(2) Routine information such as permittee name, address and vehicle identification must be included for the application.

The applicant must provide:

(a) Permittee name and address;

(b) Power vehicle year and make;

(c) Power vehicle identification number (also known as a VIN); and

(d) Power vehicle unit number, if one has been assigned by the permittee.

(3) Permits will not be issued when an application is incomplete.

(4) Carriers who have unsatisfactory safety ratings from the U.S. Department of Transportation or the Oregon Department of Transportation, Commerce and Compliance Division are not eligible for permits under these rules.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0025

RULE TITLE: Permit Duration

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division to maintain consistency.

RULE TEXT:

Permits issued under Division 74 rules are for a single trip within a period of time not to exceed 10 days, or continuous trips for up to one year from the effective date.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0028

RULE TITLE: Permit Cancellation

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division for Consistency.

RULE TEXT:

- (1) Permits may be canceled for reasons set forth under ORS 818.220(7).
- (2) The operation of any combination of vehicles under OAR 734, Division 74 over highways not authorized shall constitute a serious violation of ORS 818.220(7)(a). The Chief Engineer has authority to cancel all such permits held by any person, company, or firm for such periods of time as the Chief Engineer considers appropriate.
- (3) If any of the provisions of OAR 734, Division 74 are found to be contrary to federal law to the extent that loss of federal-aid funds may result, the Chief Engineer may immediately delete from any otherwise valid permit that portion of the permit in conflict.
- (4) This permit is automatically void if the permittee incurs an unsatisfactory rating from US DOT or the equivalent safety rating from Oregon Department of Transportation, Commerce and Compliance Division.
- (5) Permits issued for the operation of the combination described in OAR 734-074-0010(1)(h) may be canceled if the report used to determine Road Use Assessment Fees has not been filed within 30 days of the mileage report request date.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.22

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0030

RULE TITLE: Approved Routes

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division and Chapter. Removed (2) to coincide with changes in business practices.

RULE TEXT:

(1) Except for the combination described in OAR 734-074-0010 (1)(h), state highways approved for travel by combinations of vehicles operating under permits issued pursuant to OAR Chapter 734, Division 74, shall be designated by the Chief Engineer. In designating such highways, the Chief Engineer shall take into consideration the increased gross weights carried by the vehicles and shall, by use of engineering judgment, determine that the highways so approved, and the structures and bridges on those highways, can safely accommodate the increased weights.

(2) When designating approved routes for triple trailer combinations, the Chief Engineer may restrict the days and hours of travel.

STATUTORY/OTHER AUTHORITY: ORS 810, 184.619, 818

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0035

RULE TITLE: Speeds

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removed (2) as it is redundant. Exceeding posted or basic speed limits is a violation of the posted and basic speed rule laws in ORS 811, therefore it is clearly a permit violation. Updated formatting to maintain consistency.

RULE TEXT:

Vehicles operating under permits authorized through OAR 734, Division 74, shall maintain a minimum speed within 20 MPH of the posted truck speed. When encountering steep grades where a minimum speed within 20 MPH of the posted truck speed cannot be maintained, the combination of vehicles shall activate four-way flashers. Horsepower must be adequate to maintain a minimum speed of 20 MPH except on grades the Chief Engineer deems are impractical.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0040

RULE TITLE: Operating Days and Hours, Prohibitions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Added "on authorized routes" for consistency with business practices and other rules.

RULE TEXT:

- (1) Vehicles and combinations of vehicles, except triple trailers, may operate on a 24-hour, seven-day week basis.
- (2) Triple trailers may operate on a 24-hour, seven-day week basis on authorized routes unless traveling on a highway which prohibits such movement on holidays or weekends. The holidays include New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day:
 - (a) When a triple trailer route prohibits movement on weekends, movement is prohibited from 5 p.m. Friday until 10 p.m. Sunday; and
 - (b) When a triple trailer route prohibits movement on holidays, movement is prohibited during all hours:
 - (A) Triple trailer movement on any route that has holiday or weekend restriction is prohibited from noon on the Wednesday preceding Thanksgiving Day until sunrise on Monday following Thanksgiving Day;
 - (B) Triple trailer movement on any route that has holiday or weekend restriction is prohibited between 4 p.m. Thursday and sunrise Monday, when the State observes any of the specified holidays on a Friday;
 - (C) Triple trailer movement on any route that has holiday or weekend restriction is prohibited between 4 p.m. Friday and sunrise Tuesday, when the State observes one of the specified holidays on a Monday;
 - (D) Triple trailer movement on any route that has a holiday or weekend restriction is prohibited when a holiday falls on any other day of the week between 4 p.m. on the day preceding the holiday until 12:01 a.m. on the day following the holiday unless it is otherwise restricted.

STATUTORY/OTHER AUTHORITY: ORS 810, 184.619, 818

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0045

RULE TITLE: Weather Restrictions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Changed "by" to "under" for clarity. Added Chapter, and capitalized Division for consistency.

RULE TEXT:

(1) Movement of triple trailer combinations and the combination described in OAR 734-074-0010 (1)(h) is prohibited when road surfaces are hazardous or when wind or other conditions may cause the unit or any part thereof to swerve, to whip, to sway or fail to follow substantially in the path of the towing vehicle.

(2) Road surfaces are considered hazardous for triple trailer combinations, and the combination described in OAR 734-074-0010 (1)(h) when the surface is other than bare or wet pavement. Examples of "other than bare or wet pavement" include surfaces that have frost, ice, sleet or snow on the roadway.

(3) Movement of triple trailer combinations, and the combination described in OAR 734-074-0010 (1)(h) is prohibited when visibility is less than 500 feet due to snow, mist, rain, dust, smoke, fog or other atmospheric conditions.

(4) All other combinations of vehicles operating under permits issued under Division 74 rules must comply with the traction device requirements of OAR Chapter 740, Division 100, OAR Chapter 734, Division 17, and any other lawful order requiring the use of traction tires or devices.

STATUTORY/OTHER AUTHORITY: ORS 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0051

RULE TITLE: Splash and Spray Suppressant Devices

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division and Chapter. Revised (3) to be consistent with language in other rules. Updated the revised dates.

RULE TEXT:

(1) The Chief Engineer requires combinations of vehicles operating under OAR Chapter 734, Division 74 when highways are wet, including those surfaces that have rain, frost, ice, sleet or snow to be equipped with devices designed to suppress water splash and spray.

(2) The Chief Engineer is hereby granted authority to approve and require by written order the type, style, design, and installation details of splash and spray devices. These devices may consist of but are not limited to the following:

(a) Air deflectors mounted on the vehicles;

(b) Fender flaps behind wheels;

(c) Side flaps over wheels; and

(d) Water collection type fenders.

(3) Minimum splash and spray requirements are shown on Attachment 74A, revised January 2023, and Attachment 24, revised January 2023. Attachment 74A and Attachment 24 are by reference made part of Division 74 rules and are available from the CCD Over-Dimension Permit Unit.

(4) The headlights of a triple trailer combination and the combination described in OAR 734-074-0010 (1)(h) must be illuminated any time windshield wipers are used.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0060

RULE TITLE: "Long Load" Warning Signs for Triple Trailer Combinations

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division and Chapter for consistency.

RULE TEXT:

(1) A warning sign for triple trailer combinations bearing the legend "LONG LOAD" is to be displayed on the back of the rearmost trailer or semitrailer.

(2) The sign must be positioned at such height as to be readily visible to following drivers and:

(a) Signs must be seven feet wide by 18 inches high with black letters 10 inches high in accordance with Federal Highway Administration series C on highway yellow background;

(b) The highway yellow background of the sign must be made of reflectorized material when operating between one half hour after sunset and one half hour before sunrise;

(c) Signs must be kept clean, legible and mounted horizontally with adequate support to provide full visibility at all times when in use; and

(d) All such signs must be removed or retracted when not required.

(3) Combinations of vehicles described in OAR Chapter 734, Division 73 do not require warning signs.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0070

RULE TITLE: Triple Trailer Driver Requirements

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Spelled out CFR. Removed note on availability of publications. These will be made available online and are mentioned throughout rules in the Division and will be attachments available on SOS site as well.

RULE TEXT:

- (1) All triple trailer drivers must have a current Commercial Drivers License with a doubles/triples endorsement and no airbrake restriction.
- (2) Triple trailer drivers and all individuals and companies operating triple trailers must comply with Part 391 — Qualifications of Drivers of the Federal Motor Carrier Safety Regulations (FMCSR) and Part 395 — Driver Hours of Service. Driver exemptions as set forth in Section 391.67 of the FMCSR shall not apply to triple trailer drivers.
- (3) Triple trailer drivers must have a minimum of one-year experience driving commercial vehicle combinations.
- (4) Triple trailer drivers hired by the permit holder after the effective date of this rule, must successfully complete a skills test, using triple trailers, as described in 49 Code of Federal Regulations 380. The permittee must maintain a record of the skills test for inspection by ODOT personnel for three years following the skills test.
- (5) Triple trailer drivers must be directly supervised by the company or individual holding the triple trailer permit.
- (6) Triple trailers may not be operated by any driver convicted of two or more speeding violations in Oregon as provided by ORS Chapter 811 within the last three years while operating a triple trailer combination after being informed by ODOT that the driver is disqualified.
- (7) Triple trailers may not be operated by a driver if suspension or revocation of driving privileges arises from operation of a commercial motor vehicle in any state or province during the past three years.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-074-0090

RULE TITLE: Permit Requirements for Triple Trailer Operators

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division for consistency.

RULE TEXT:

- (1) The third cargo carrying unit of a triple trailer combination cannot be a liquid cargo tank.
- (2) A carrier operating under Division 74 rules must report total miles driven in Oregon while operating triple trailer combinations to the CCD in the form it requests. Triple trailer annual mileage reports must be received by the CCD by March 31 of the year following the year the miles were driven. Failure to timely report triples miles may result in cancellation or non-renewal of a motor carrier's triple trailer permits.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

REPEAL: 734-075-0002

RULE TITLE: Exhibits

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Proposing to repeal this rule as it is no longer needed given the subsequent changes to the rules in the Division.

RULE TEXT:

The exhibits referred to in OAR chapter 734, division 75 are by reference made a part of these rules. The Chief Engineer maintains the exhibits and any amendments authorized by rule.

STATUTORY/OTHER AUTHORITY: ORS 183, 818

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-075-0005

RULE TITLE: Scope

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalizing Chapter and Division.

RULE TEXT:

OAR Chapter 734, Division 75 regulates the transportation of mobile homes, modular building units and chassis units on highways under the authority of the Oregon Department of Transportation.

STATUTORY/OTHER AUTHORITY: ORS 810.606, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-075-0008

RULE TITLE: Definitions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Added definition for "Park Model Recreational Vehicle" and "Stretch Trailer." Added "Park Model Recreational Vehicle" to the definition of mobile home.

RULE TEXT:

- (1) "Base" means the widest point of the outside dimension of a mobile home or modular unit exclusive of appurtenances such as door handles, required safety equipment or eaves.
- (2) "Business day" is any day, Monday through Friday except holidays as defined in section (8) of this rule.
- (3) "Chief Engineer" means the Chief Engineer of the Oregon Department of Transportation or a person designated to act for the Chief Engineer.
- (4) "CCD" means the Commerce and Compliance Division of the Oregon Department of Transportation.
- (5) "Daylight hours" means one-half hour before sunrise until one-half hour after sunset.
- (6) "Eave" means an extension of the roof past the base of the unit. It does not include external accessories or devices attached to the unit.
- (7) "Eave cap" means the shingle or roofing material extension over the eave fascia.
- (8) "GVWR" means the gross vehicle weight rating as defined in ORS 801.298.
- (9) "Holiday" for the purpose of division 75 rules means New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day and includes any other days the state officially observes these holidays by the closure of State offices.
- (10) "Mobile home" or "manufactured home" means a trailer designed as a structure for human habitation or for business, commercial or office purposes, which can be towed upon public highways and which is more than 45 feet in length or more than eight feet six inches in width. For the purposes of division 75 rules, all references to mobile homes include manufactured homes and park model recreational vehicles.
- (11) "Modular building unit" means a structural building component designed to be used alone or with other modules. These modules create a structure for human habitation or for business, commercial or office purposes and are more than 45 feet in length or more than eight feet six inches in width. Modular units are transported or hauled on another vehicle instead of being towed on the unit's own axles or running gear.
- (12) "Multi-lane highway" means a highway having two or more lanes of travel in the same direction.
- (13) "Overall width" means the width at the base plus any eave.
- (14) "Park Model Recreational Vehicle" has the same definition as ORS 803.036 (1b).
- (15) "Seller" as used in this rule means any person engaged in selling or distributing a manufactured home to persons who in good faith purchase or lease manufactured homes for purposes other than resale.
- (16) "Stretch Trailer" has the same definition as OAR 734-082-0005 (18).
- (17) "Toter" means a motor vehicle designed and used primarily for towing a mobile home.
- (18) "Transport" means to tow, haul, drive or otherwise move a vehicle or load on the State highway system.
- (19) "Truck-tractor" means a motor vehicle designed and used primarily for drawing (towing) 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 drawn and having a manufacturers GVWR in excess of 15,000.
- (20) "Unit" means a mobile home, manufactured home or modular building unit as defined in sections (10) and (11) of this rule.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-075-0010

RULE TITLE: Vehicle Combinations and Maximum Size Limitations

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Added language for Group Map 1 to be consistent with other rules in this Chapter and Division.

RULE TEXT:

This rule establishes the maximum number of vehicles in combination and size of vehicles allowed when moving an over-dimensional unit:

- (1) The combination must not exceed two vehicles, the towing vehicle and the unit being transported.
- (2) The maximum lengths are as follows:
 - (a) The maximum overall length of the combination must:
 - (A) Not exceed 85 feet on State highways;
 - (B) Not exceed 95 feet on Group 1 highways as shown on Group Map 1, revised April 2021. Group Map 1 is by reference made part of Division 75 rules, and is available from the CCD Over-Dimension Permit Unit; and
 - (C) Not exceed 110 feet on Interstate highways, multilane highways or highways approved for the longer length as authorized by a single trip permit or as authorized by written order of the Chief Engineer or the Administrator of the Commerce and Compliance Division as authorized in OAR 734-070-0010.
 - (b) The mobile home being towed must not exceed 80 feet, including the tongue, except as provided in OAR 734-075-0011.
 - (3) The maximum widths are as follows:
 - (a) Units must not exceed 14 feet overall width, unless a single trip permit or a limited duration permit is issued;
 - (b) Units transported under a single trip permit or limited duration permit are subject to the following:
 - (A) The unit must not exceed 16 feet at the base except as described in subsection (e);
 - (B) The overall width must not, except as described in subsection (e), exceed 18 feet.
 - (c) Except as prohibited by paragraph (b)(B) of this section, a unit may have an eave, provided the eave does not extend beyond either side by:
 - (A) More than 30 inches for units with a base width of less than 16 feet; or
 - (B) More than 16 inches for units with a base width of 16 feet or more.
 - (d) External appurtenances such as doorknobs, window fasteners, eave cap, clearance lights and load securement devices may exceed the width of the unit by a distance not greater than two inches on each side;
 - (e) A unit that exceeds 16 feet wide at the base may be allowed if the Administrator of CCD determines that the public interest requires the impending movement and the movement can be performed safely.
 - (4) Except as provided in subsection (5) the maximum height for the combination, while in transit, must not exceed 14 feet unless proper route clearance has been obtained and is so indicated on the single trip permit.
 - (5) A continuous trip permit may be issued for a combination height up to 14 feet six inches over specifically authorized routes.
 - (6) A combination consisting of a truck-tractor or toter towing a manufactured home, mobile home or modular building unit chassis, which may include axles and tires attached to each chassis hauled, may operate on a 30-day multiple trip permit under the following conditions:
 - (a) Chassis length including the tongue must not exceed 80 feet;
 - (b) The chassis must not be loaded end to end but may be staggered lengthwise for transport;
 - (c) Overhang must not extend more than five feet off the rear of the chassis transporting the load;
 - (d) Overall length of the combination must not exceed:
 - (A) 105 feet on interstate and multilane highways; and
 - (B) 95 feet on two-lane green and brown routes shown on Route Map 7.
 - (e) The chassis transporting the load must be equipped with brakes and lights that meet the requirements of Code of Federal Regulations 49 Part 393.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-075-0020

RULE TITLE: Axles, Tires and Brakes for Mobile Homes

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: To be consistent with other rules, spelled out CFR and FMVSS. Removed note on publications as well.

RULE TEXT:

This rule establishes requirements for axles, tires and brakes for mobile homes transported under variance permit:

- (1) Axles must be in sufficient number to support enough tires to be in compliance with subsection 5(a) through 5(c) of this section.
- (2) A mobile home that exceeds 14 feet at the base in width must have a minimum of four axles, except when a mobile home does not exceed 40 feet in length and has a minimum of three axles.
- (3) Brakes on mobile homes must comply with Federal Motor Carrier Safety Regulations 393.42 (b)(2), provided the combination of vehicles meets the requirement of 393.52 brake performance.
- (4) For any mobile home in transit, a minimum of two spare tires must be carried for the unit being towed. They must be inflated and ready for use.
- (5) Tire loadings restrictions are contingent on when the unit was manufactured and must comply as follows:
 - (a) Tire loading restrictions for manufactured homes built before January 1, 2002. Manufactured homes that are labeled pursuant to 24 Code of Federal Regulations 3282.362(c)(2)(i) before January 1, 2002, must not be transported on tires that are loaded more than 18 percent over the load rating marked on the sidewall of the tire or in the absence of such a marking more than 18 percent over the load rating specified in any of the publications of any of the organizations listed in Federal Motor Vehicle Safety Standards No. 119, 49 Code of Federal Regulations 571.119, S5.1(b). Manufactured homes labeled before January 1, 2002, transported on tires overloaded by 9 percent or more must not be operated at speeds exceeding 50 mph;
 - (b) Tire loading restrictions for manufactured homes built on or after January 1, 2002. Manufactured homes that are labeled pursuant to 24 Code of Federal Regulations 3282.362(c)(2)(i) on or after January 1, 2002, must not be transported on tires loaded beyond the load rating marked on the sidewall of the tire or in the absence of such a marking, the load rating specified in any of the publications of any of the organizations listed in Federal Motor Vehicle Safety Standards No. 119, 49 Code of Federal Regulations 571.119, S5.1(b); and
 - (c) Manufactured homes with no verifiable date of manufacture must not exceed the manufacture's tire load rating.
- (6) The Department shall not issue a permit to move a mobile home that exceeds 14 feet wide at the base unless the Department determines that all of the conditions and specifications set forth in this rule have been met.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-075-0022

RULE TITLE: Driver Requirements

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Replaced "individual or company" with motor carrier to be consistent. Replaced "accident" with "collision" to coincide with other rule amendments across ODOT.

RULE TEXT:

The motor carrier to whom the permit is issued will be responsible to verify that all drivers towing mobile home units with base widths in excess of 14 feet or overall width in excess of 15 feet meet the following requirements:

- (1) Driver must have a minimum of one year experience towing overwidth mobile homes;
- (2) Driver must not have been convicted of more than one moving violation while operating commercial motor vehicles in any state, country or province within the last one year; or
- (3) Driver must not have had more than one preventable, recordable collision involving a commercial motor vehicle in any state, country or province within the last two years;
- (4) Driver must not have had a suspension or revocation of driving privileges from operation of a commercial motor vehicle in any state, country or province during the past three years; and
- (5) Driver must not have been convicted of DUII while operating a commercial motor vehicle in any state, country or province within the last five years.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

ADOPT: 734-075-0028

RULE TITLE: Application for Permit

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: This new proposed rule will outline the applications for permits for vehicles under Division 75 and the requirements of the application. This rule is needed to issue permits to these vehicles under our new electronic permitting system.

RULE TEXT:

(1) Application for permits may be made in person or online. The completed permit may be mailed, transmitted electronically, or made available online for the applicant.

(2) The applicant must provide:

(a) Permittee name and address;

(b) Power vehicle year and make;

(c) Power vehicle identification number (also known as a VIN); and

(d) Power vehicle unit number, if one has been assigned by the permittee.

(3) Permits will not be issued when an application is incomplete.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-075-0035

RULE TITLE: Pilot Vehicles

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated the name of Attachment 75A. for consistency. Added language for Group Map 1 to maintain consistency with other rules in Chapter and Division.

RULE TEXT:

(1) Pilot vehicle(s) may be needed to ensure the safety of the traveling public when vehicle and load movements involve excessive width, height, length, or projections to the front or rear of vehicles or combinations of vehicles. The configuration of such pilot vehicles(s) must be a passenger car, pick-up, truck, or truck-tractor of legal size and weight. A pilot vehicle may not tow another vehicle.

(2) Pilot vehicles escorting oversize loads or vehicles are required to have the following:

(a) Warning signs mounted above the roofline of the vehicle. This sign must bear the legend "OVERSIZE LOAD." The sign must be at least five feet wide by ten inches high; have black letters eight inches high with one-inch brush stroke in accordance with Federal Highway Administration series B, on highway yellow background. The sign must be displayed only during the course of the oversize movement, and must be removed or retracted at all other times. The sign must be clean, legible, and mounted adequately to afford full view at all times, when in use, to the front or rear depending upon location of pilot vehicle or relative to the oversize unit;

(b) Warning lights are required in addition to those lights that may otherwise be required by law. The warning lights must be displayed only during the course of the oversize movement, and at all other times the requirements found in ORS 816.350(7) will apply. Strobe lights are allowed. These lights must be mounted above the roof of the cab, be clearly visible from 500 feet, have a minimum of 30 flashes per minute and be either:

(A) Two flashing amber lights as widely spaced laterally as is practical;

(B) Revolving type amber light(s); or

(C) Amber type strobe light(s) with 360 degree visibility.

(c) Two-way radio communications between the oversize vehicle and the pilot vehicle(s) must be maintained at all times;

(d) Two 18-inch-square red or fluorescent orange flags mounted on three-foot length staffs must be carried by each pilot vehicle. The pilot vehicle operator will use the flags to warn oncoming or overtaking traffic when the oversize unit is stopped and obstructing traffic;

(e) Eight safety flares or reflectors. Safety flares may not be used when the movement involves hazardous materials; and

(f) For a load exceeding 14 feet 6 inches high, an over-height pole adequate to determine load clearance is required if the permittee has not provided the department with a signed official ODOT form assuming all liability for any damage that may occur during an over-height movement. Instructions for over-height pole use are found in Attachment 75A, revised January 2023. Attachment 75A is by reference made part of Division 75 rules, and is available from the CCD Over-Dimension Permit Unit.

(3) The number of pilot vehicles required for certain movements is shown on Permit Attachment 75A, revised January 2023, which is issued with permits requiring pilot vehicles. The Chief Engineer is authorized to alter the number of pilot vehicles from those specified in Permit Attachment 75A, revised January 2023, depending upon local conditions, seasonal traffic, construction projects, or other considerations. The permit will reflect altered requirements. Further, units with an overall width not exceeding 12 feet that meet the warning lights requirements described in OAR 734-075-0040(2) and (3) are exempt from rear pilot car requirements on Group 1 Highways as shown on Group Map 1, revised April 2021, unless specifically required by the permit or Chief Engineer. Group Map 1 is by reference made part of Division 75 rules, and is available from the CCD Over-Dimension Permit Unit.

(4) The highway classification groups referred to in Attachment 75A are established by and maintained by the Chief Engineer.

(5) Positioning of pilot vehicles — Unless specified otherwise, the pilot vehicle(s) must be positioned ahead of (when one is required) or to the front and rear of (when two or more are required) the oversize unit at a distance of 300 feet to 500

feet from the unit. In areas where increased traffic congestion is encountered, where traffic is controlled by signals, or where other conditions may so require, the spacing will be reduced as may be required to properly safeguard the traveling public.

(6) When for any cause the oversize unit is stopped and occupies or encroaches onto the highway's travel lane, the pilot vehicle(s) must be positioned to warn and safeguard other traffic approaching from any direction from which visibility or sight distance may be limited.

(7) Duties of pilot vehicle operations:

(a) Warn approaching or overtaking traffic of the unit's presence on the highway to provide a maximum of protection and safety for the traveling public; and

(b) When encountering bridges, structures, tunnels, or other locations where clearances may be limited to the extent that normal two-way traffic cannot be maintained, the pilot vehicle operator must signal by hand or radio to the towing vehicle driver when the oversize unit can proceed without conflict to approaching traffic. As the oversize unit then proceeds through such areas of impaired clearance, the pilot vehicle operator must warn approaching traffic.

(8) Pilot vehicle(s) are considered to be under the direct control and supervision of the oversize vehicle operator.

(9) Specific identified locations may require additional precautions. Permits will specify locations that require certified flagging to be conducted. The flagging must be conducted in accordance with the standards in the Manual on Uniform Traffic Control Devices as adopted in OAR 734-020-0005.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-075-0036

RULE TITLE: Approved Routes for Authorized Combinations of Vehicles

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removing gendered language for Chief Engineer.

RULE TEXT:

- (1) The Chief Engineer, or designee, may approve, limit or delete by written order the state highways or sections of state highways approved for use by vehicles authorized by OAR Chapter 734, Division 75.
- (2) The Chief Engineer may also specify the type(s) of vehicle combinations authorized on approved routes.
- (3) The list of approved highways and types of vehicle combinations authorized are maintained by the Chief Engineer.
- (4) Trial test runs may be required to revise routes or approved vehicle combinations.
- (5) Before adding or deleting highways or sections of highways, the Chief Engineer will investigate the condition of the highway, and may consider road surface width, condition, safe passing opportunities, bridges, structures, accessibility, general sight distance, and other conditions which they deems appropriate along such highways.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-075-0037

RULE TITLE: Special Provisions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Changed will to may to align with current and future business practices.

RULE TEXT:

(1) Movement of all units with a base width over 14 feet or an overall width in excess of 15 feet on two lane highways may be required to submit for approval by the Department a traffic control plan that is acceptable to all road authorities through which the vehicle(s) will travel and lists the desired date of move, routes of travel, turnouts for traffic relief and dimensions of load.

(2) If the eave extends more than 24 inches beyond either side of the mobile home base, in addition to all other lights required by law, a clearance light as described in ORS 816.200 will be mounted on the outermost front and rear corners of the eave.

(3) Vehicles transporting manufactured homes that exceed 14 feet width at the base must travel only in the right lane unless obstructions, merging traffic or permit requirements dictate otherwise. A vehicle transporting a manufactured home in excess of 14 feet at the base, must not pass other over-dimensional vehicles.

(4) The seller of a manufactured home that exceeds 14 feet width at the base, and is to be transported over Oregon highways, is the shipper of the manufactured home. As the shipper, the seller will have the obligation of pre-determining whether the appropriate road authority may issue an over-dimension permit so that the manufactured home can be delivered to the location specified by the potential purchaser of the manufactured home.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-075-0041

RULE TITLE: Warning Lights for Transported Over Width Mobile Homes

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating over-width to "over width" to be consistent with business practices.

RULE TEXT:

In addition to any other lighting required by law, a transported over width mobile home must be equipped with two flashing type amber lights mounted on the rear of the towed unit. The lights must be:

- (1) On a horizontal plane at least eight feet above the road surface and separated as far as practical; and
- (2) Clearly visible from 500 feet.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-075-0055

RULE TITLE: Days of Travel and Peak Traffic Hour Restrictions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating language regarding Attachment H to be consistent with other rules in Chapter and Division. Removing the editor note.

RULE TEXT:

(1) Movement of an oversize vehicle or load is subject to the time of travel restrictions described on Attachment H, revised January 2023, which is included with a Division 75 permit. Attachment H is by reference made part of Division 75 rules, and is available from the CCD Over-Dimension Permit Unit.

(2) The Chief Engineer may impose or alter time of travel restrictions. These may be necessary to prevent conflict with highway construction or repair projects or to cope with local or seasonal traffic conditions.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-075-0085

RULE TITLE: General Permit Provisions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removed additional bond and insurance requirements from this Rule as Delivery and Operations Division may impose financial liability conditions for certain movements. Basic insurance requirements are established elsewhere in Rule and Federal Regulations. Updated (7) to include the current OD unit number and remove unnecessary language from the rule.

RULE TEXT:

(1) Posted Load Limits: Notwithstanding the weights or dimensions allowed under a permit, the posting of any highway or structure to reduce weights or dimensions will modify the limits allowed under the permit.

(2) Impaired Clearance: Full responsibility for determining adequate clearance, both vertical and horizontal is hereby imposed upon the permittee and the driver of equipment having a width or height in excess of the legal limit. When the vertical or horizontal clearance of any bridge or structure is impaired to the extent that full two-way traffic cannot be maintained, the permittee must provide a pilot vehicle for the purpose of preventing approaching vehicles from entering the bridge or structure while it is impaired by the movement covered by this permit.

(3) Spacing Interval: Two or more vehicles required to display warning signs must maintain a distance of one-half mile between combinations traveling in the same direction, except when overtaking or passing or in areas where increased traffic congestion is encountered, where traffic is controlled by signals or where other conditions may so require. All slow-moving lanes and turn-outs must be used to allow following traffic to pass.

(4) County Roads and City Streets: This permit does not authorize operations over county roads or city streets unless specifically noted. To operate over a county road a permit must be obtained from the county authority having jurisdiction over the road; likewise, to operate over a city street other than a state highway route, a permit must be obtained from the proper city authority.

(5) Cancellation: This permit may be canceled at any time by the granting authority upon proof satisfactory to it that the permittee has violated any of the terms of the permit or that the permit was obtained through misrepresentation in the application or when in the judgment of the granting authority the public interest requires cancellation (ORS 818.220).

(6) Rear-view Mirrors: A Power unit must be equipped with a minimum of two rear view mirrors positioned to allow the operator to view the rear of the last vehicle of the combination and to see down each side of the vehicle(s) being transported. Mirrors may exceed authorized width only as much as required to provide the operator the required view to the rear and must be retracted to legal width at all other times.

(7) In addition to any other notification required by law, within 24 business hours of striking a structure, the motor carrier must report the incident to the Over-Dimension Permit Unit at (503) 373-0000.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-077-0005

RULE TITLE: Scope

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Added Chapter and capitalized Division to be consistent across all rules.

RULE TEXT:

OAR Chapter 734, Division 77 shall apply to and govern the issuance of permits by the Department of Transportation for the movement of vehicles transporting certain agricultural products as identified in OAR 734-077-0007, from which there is fluid leakage as provided in ORS 818.230.

STATUTORY/OTHER AUTHORITY: ORS 184, 366

STATUTES/OTHER IMPLEMENTED: ORS 818.230

AMEND: 734-077-0010

RULE TITLE: Application for Permit

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated rule language to remove mail and telephone applications to be consistent with business practices upon the launch of the new electronic permitting system. Updated all application requirements.

RULE TEXT:

(1) Application for a permit may be made in person or online. The completed permit may be mailed, transmitted electronically, or made available online for the applicant.

(2) The applicant must provide:

(a) Identification of food process plant where the movement will originate.

(b) The highways to be traveled.

(c) The highway mile point or other identifiable geographical point where the movement will leave the highway.

(d) Permittee name and address;

(e) Power vehicle year and make;

(f) Power vehicle identification number (also known as a VIN); and

(g) Power vehicle unit number, if one has been assigned by the permittee.

(3) Permits will not be issued when an application is incomplete.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220, 818.230

AMEND: 734-077-0015

RULE TITLE: Authorized Routes

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removing (2) as it is covered elsewhere in rule and statute.

RULE TEXT:

It is intended that highway routes authorized in the permit will in general be those routes requested in the application. As authorized under ORS 818.220(1)(c), however, the Department of Transportation may, at its discretion, amend permits to designate alternate routes if the amount or character of fluid leakage is such that an alternate route would be in the public interest.

STATUTORY/OTHER AUTHORITY: ORS 184, 366

STATUTES/OTHER IMPLEMENTED: ORS 818.230

AMEND: 734-077-0020

RULE TITLE: Authorized Vehicles

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Replacing ' with "feet" for better readability.

RULE TEXT:

Notwithstanding any limitation imposed under OAR 734-077-0040 a permit may be issued under these rules for the operation of any vehicle or combination of vehicles meeting the requirements of ORS 818.080, 818.110 or rules adopted pursuant to ORS 810.060, provided, however, that combinations of vehicles as described in OAR 734-074-0005 exceeding 75 feet in overall length are not authorized.

STATUTORY/OTHER AUTHORITY: ORS 184, 366

STATUTES/OTHER IMPLEMENTED: ORS 818.230

AMEND: 734-077-0040

RULE TITLE: Leakage Restrictions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated language to:

1. make clear the imposition of additional permit provisions by the Chief engineer; and
2. remove gendered language.

RULE TEXT:

(1) Fluid leakage will be permitted only to an extent and under conditions which will not create a safety or health hazard to the general public. Excessive loss of fluid containing residue which can cloud the windshields of other vehicles, the creation of a build-up of residue causing slippery pavement conditions, or the excessive loss of fluid from parked hauling vehicles causing unsanitary conditions adjacent to restaurants or other businesses, or residences may result in revocation of the permit.

(2) The Chief Engineer may impose additional permit provisions in in addition to those required by this rule, but in accordance with ORS 818.220 as deemed necessary to provide a maximum of highway safety for the driving public.

STATUTORY/OTHER AUTHORITY: ORS 184, 366

STATUTES/OTHER IMPLEMENTED: ORS 818.230

AMEND: 734-078-0005

RULE TITLE: Scope

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Added Chapter and capitalized Division to promote consistency of rule language.

RULE TEXT:

These rules shall apply to and govern the issuance of permits by the Department of Transportation, for the movement of vehicles transporting logs, poles, piling and structural members which, when loaded, have overall lengths in excess of those permitted by Oregon Revised Statutes or by OAR Chapter 734, Division 71.

STATUTORY/OTHER AUTHORITY: ORS 184, 366, 818

STATUTES/OTHER IMPLEMENTED: ORS 818.220

AMEND: 734-078-0010

RULE TITLE: Application for Permit

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating how an application can be made such that it is consistent with the business practices upon go-live of the new electronic permitting system. Detailed the requirements of the application. Added a note for what is meant by "power vehicle."

RULE TEXT:

(1) Application for permits may be made in person or online. The completed permit may be mailed or transmitted electronically for pickup by the applicant.

(2) The applicant must provide:

(a) Permittee name and address;

(b) Power vehicle year and make;

(c) Power vehicle identification number (also known as a VIN); and

(d) Power vehicle unit number, if one has been assigned by the permittee.

(3) Permits will not be issued when an application is incomplete.

(4) For purposes of this rule, "power vehicle" means the vehicle that provides motive power.

STATUTORY/OTHER AUTHORITY: ORS 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.220

AMEND: 734-078-0017

RULE TITLE: Rear Overhang

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division for rule language consistency.

RULE TEXT:

(1) A combination of vehicles operating under a Division 78 variance permit is subject to rear overhang requirements as follows:

(a) If rear overhang exceeds legal limits, a single trip permit or a continuous trip permit may be issued for rear overhang;
(b) In addition to any other pilot vehicle requirements specified on a permit, if rear overhang exceeds 25 feet, the permit will specify the requirement of a rear pilot vehicle for travel on any portion of a non-interstate multi-lane highway when the normal route to the destination requires the combination to exit the multi-lane portion of such highway;

(2) For the purpose of this rule, rear overhang will be measured from:

(a) The rearmost direct weight bearing pivot point to the end of the load of a pole trailer; or

(b) The rearmost load bearing point of any other trailer, exclusive of any non-load bearing appurtenances, regardless of any log bunks attached to the trailer.

(3) A vehicle, including but not limited to an auxiliary axle, attached to the rear of the rearmost trailer in the combination for the purpose of distributing load weight will not be considered in determining rear overhang.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220

STATUTES/OTHER IMPLEMENTED: ORS 818.220

AMEND: 734-078-0020

RULE TITLE: Approved Routes and Allowable Overall Lengths

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Changed the attachment name to Attachment 17 for consistency and accuracy. Added a revision date and note that the attachment is a part of Division rules to maintain consistency in rule language.

RULE TEXT:

(1) The allowable overall lengths for the combinations of vehicles and load subject to these rules must not exceed those lengths indicated for the various highways listed on Attachment 17, revised January 2023. Attachment 17 is by reference made part of Division 78 rules, and is available from the Commerce and Compliance Division Over-Dimension Permit Unit.

(2) All state highways approved for operation of vehicle combinations and loads under permit are those indicated on Attachment 17. Separate permission must be obtained from proper authorities for operation over county roads, city streets or other roads not under State Highway jurisdiction.

(3) As various state highways or sections thereof are reconstructed or improved to an extent that longer overall vehicle and load lengths can safely travel the highway, the Chief Engineer may by written order and at the Chief Engineer's discretion authorize lengths in excess of those indicated on Attachment 17. In the same manner, the Chief Engineer may add additional highways, or sections thereof with corresponding overall lengths as the Chief Engineer deems appropriate to those highways listed on Attachment 17.

(4) If the vehicle combination consists of a log truck and independently operated manually or mechanically steered trailer an overall length will be permitted which exceeds by fifteen feet those indicated on permit Attachment 17.

(5) A load may include related items provided it does not exceed the length allowed for the longest permitted item.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-078-0025

RULE TITLE: Days of Travel and Peak Traffic Hour Restrictions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Replaced "rule" with OAR and updated the name to Commerce and Compliance Division. This aligns with other rules.

RULE TEXT:

(1) The combinations of vehicles described in OAR 734-078-0015, which when loaded exceed 105 feet overall length, are prohibited from operation:

(a) Unless otherwise specified in this section, during any hours on observed holidays, movement shall be prohibited after 2:00 p.m. on the last business day preceding the observed holiday through sunrise of the first business day following the observed holiday. The holidays to which this restriction applies are New Year's Day, Memorial Day, Independence Day, Labor Day and Christmas Day;

(b) From noon on Wednesday preceding Thanksgiving Day until sunrise on Monday following Thanksgiving Day; and

(c) During daylight hours Saturday afternoons and Sundays after Memorial Day and before Labor Day.

(2) When operating on the Interstate Highway System, movement is authorized during the hours between sunset and sunrise, except on holidays, as indicated in section (1) of this rule, provided that:

(a) Intermediate side marker lights as described in ORS Chapter 816 are placed on each side at intervals of not more than 20 feet between the tail lights of the towing vehicle and the tail lights of the trailer; and

(b) Projections beyond rear of motor vehicles. Motor vehicles transporting loads which extend more than four feet beyond the rear of the motor vehicle, or which have tailboards or tailgates extending more than four feet beyond the body, shall have projections marked as follows:

(A) On each side of the projecting load, one red lamp, visible from the side, located so as to indicate maximum overhang; and

(B) On the rear of the projecting load, two red lamps, visible from the rear, one at each side, and two red reflectors visible from the rear, one at each side, located so as to indicate maximum width.

(3) Commerce and Compliance Division of Oregon Department of Transportation may impose additional regulations pertaining to days and hours of operation for the transportation of logs, poles and piling. Permittees should determine the existence of any such regulations.

STATUTORY/OTHER AUTHORITY: ORS 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.220

AMEND: 734-078-0030

RULE TITLE: Warning Signs and Flags Required

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Changed to "LONG LOAD" and "OVERSIZE LOAD" to align with the actual signs required.

RULE TEXT:

(1) When the combinations of vehicles and load exceed 80 feet in overall length a "LONG LOAD" or "OVERSIZE LOAD" sign is required to be attached to the rearmost position practical, either on the load or the last vehicle:

(a) The sign must be seven feet wide by 18 inches high with black letters 10 inches high in accordance with Federal Highway Administration series C on highway yellow background;

(b) The highway yellow background of the sign must be made of reflectorized material when operating between sunset and sunrise;

(c) Signs must be kept clean, legible, and mounted with adequate support to provide full visibility at all times when in use;

(d) Signs must not cover or interfere with the visibility of the vehicle's registration plates;

(e) Signs must be constructed of a material impervious to water; and

(f) All signs must be removed or retracted when not required.

(2) When a load extends beyond the rear body of the vehicle four feet or more, the outermost extremity of the load must be visibly marked with a red flag not less than 18 inches square. The attachment device must not extend beyond the rear of the load by more than three inches.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-078-0035

RULE TITLE: Pilot Vehicles

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated attachment names to promote consistency in rule language. Added note about being part of Division 78 rules to maintain consistency. Removed editor note as these attachments are available from CCD and SOS.

RULE TEXT:

(1) Pilot vehicles may be needed to ensure the safety of the traveling public when vehicle and load movements involve excessive width, height, length or projections to the front or rear of vehicles or combinations of vehicles. The configuration of such pilot vehicle(s) shall be a passenger car, pick-up, truck or truck-tractor of legal size and weight. Combinations of vehicles are not allowed as pilot vehicles. The number of pilot vehicles required for certain movements is shown on Attachment 82A, revised January 2023, which is issued with permits requiring pilot vehicles. Attachment 82A is by reference made part of Division 78 rules, and is available from the Commerce and Compliance Division, Over-Dimension Permit Unit.

(2) A pilot vehicle shall precede the loaded combination of vehicles when operating on the following highway sections:

(a) Alsea Highway, Ore 34, between M.P. 6.93 (Canal Creek Rd) and the Jct of US 20 near Philomath provided the overall length is in excess of 90 feet;

(b) Corvallis-Newport Highway, US 20, between Blodgett and Philomath provided the overall length is in excess of 80 feet;

(c) Coos Bay-Roseburg Highway, Ore 42, between Coos/Douglas County line and Camas Valley provided the overall length is in excess of 80 feet;

(d) Mist-Clatskanie Highway, Ore 47, entire highway, provided the overall length is in excess of 80 feet;

(e) Silver Creek Falls Highway, Ore 214, between M.P. 31.09 (Drakes Crossing) and Silverton provided the overall length is in excess of 80 feet;

(f) Siletz Highway, Ore 229, between M.P. 9.66 and M.P. 15.23 provided the overall length is in excess of 50 feet;

(g) Coos River Highway No. 241, between Jct. US 101 and M.P. 15.04 (near Allegany) provided the overall length is in excess of 70 feet.

(3) As highway conditions may change due to construction, relocation, or other factors and as additional highway sections may be added to the approved routes shown on permit Attachment 17, revised January 2023, the Chief Engineer at their discretion may deem appropriate to add to, delete, or revise the list of pilot vehicle requirements in section (1) of this rule. Attachment 17 is by reference made part of Division 78 rules, and is available from the Commerce and Compliance Division, Over-Dimension Permit Unit.

(4) Pilot vehicles are required to have the following equipment:

(a) Warning signs mounted above the roofline of the vehicle. This sign shall bear the legend "OVERSIZE LOAD." The sign shall be at least five feet wide by ten inches high, have black letters eight inches high with one-inch brush stroke in accordance with Federal Highway Administration series B, on highway yellow background. Signs made of mesh fabric, or other materials that do not provide a continuous yellow background, are not allowed. The sign shall be displayed only during the course of the oversize movement and shall be removed or retracted at all other times. The sign must be kept clean, legible, and mounted adequately to afford full view at all times, when in use, to the front or rear depending upon location of pilot vehicle or relative to the oversize unit;

(b) Warning lights are required in addition to those lights that may otherwise be required by law. Strobe lights are allowed. These lights shall be clearly visible from 500 feet and be either:

(A) Two flashing amber lights clearly visible from the front and rear. These lights shall have a minimum lens diameter of four inches, be rated at a minimum of 35 candlepower, and emit a minimum of 30 flashes per minute; or

(B) At least one revolving type amber light that has at least 125 square inches of dome surface, and emits at least 30 flashes per minute.

(c) Two way radio communications between the oversize vehicle and the pilot vehicle(s) must be maintained at all times;

(d) Two 18-inch square red flags mounted on three-foot length staffs shall be carried by each pilot vehicle for use in directing traffic. The pilot vehicle operator shall use the flags to warn oncoming or overtaking traffic when the oversize unit is stopped and obstructing traffic; and

(e) Eight safety flares or reflectors. Safety flares may not be used when the movement involves hazardous materials.

STATUTORY/OTHER AUTHORITY: ORS 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.220

AMEND: 734-078-0040

RULE TITLE: Permit Cancellation

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated the terms for permit cancellation to coincide with current business practices.

RULE TEXT:

Permits may be canceled at any time by the granting authority upon proof satisfactory to it that the permittee has violated any of the terms of the permit or that the permit was obtained through misrepresentation in the application or when in the judgment of the granting authority the public interest requires cancellation (ORS 818.220).

STATUTORY/OTHER AUTHORITY: ORS 184, 366, 818

STATUTES/OTHER IMPLEMENTED: ORS 818.220

AMEND: 734-079-0005

RULE TITLE: Scope and Purpose

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removed redundant language that is covered in other rules. Removed "Chapter" from ORS 818 for consistency.

RULE TEXT:

A combination of vehicles consisting of a log truck and pole trailer equipped for self loading and transporting logs may operate with a permit allowing the weight provisions of ORS 818.210(3) only if:

- (1) The combination does not exceed the maximum allowable length limitations established in OAR Chapter 734, Division 71; and
- (2) The combination meets any other restrictions that may be imposed pursuant to ORS 818.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.210

AMEND: 734-079-0015

RULE TITLE: Application for Permit

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated the methods for which an application can be made to align with the business practices of CCD upon the implementation of the new electronic permitting system. Added the requirements for the application and the note/definition of "power vehicle."

RULE TEXT:

(1) Application for a permit may be made in person or online. The completed permit may be mailed or transmitted electronically for pickup by the applicant.

(2) The applicant must provide:

(a) Permittee name and address;

(b) Power vehicle year and make;

(c) Power vehicle identification number (also known as a VIN); and

(d) Power vehicle unit number, if one has been assigned by the permittee.

(3) Permits will not be issued when an application is incomplete.

(4) For purposes of this rule, "power vehicle" means the vehicle that provides motive power.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-079-0025

RULE TITLE: Permit Duration and Cancellation

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Amended the terms of permit cancellation to coincide with current business practices.

RULE TEXT:

(1) Permits may be issued for periods of time up to one year.

(2) Permits may be canceled at any time by the granting authority upon proof satisfactory to it that the permittee has violated any of the terms of the permit or that the permit was obtained through misrepresentation in the application or when in the judgment of the granting authority the public interest requires cancellation (ORS 818.220).

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.220

AMEND: 734-082-0001

RULE TITLE: Scope

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalizing Chapter and Division for consistency.

RULE TEXT:

OAR Chapter 734, Division 82 governs the operation of vehicles transporting loads that exceed legal limits and variance permits issued for vehicles or loads having weight or dimension greater than that allowed by statute.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0002

RULE TITLE: Duration

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Corrected language from multiple to continuous to fit business practices.

RULE TEXT:

Permits issued under Division 82 are valid from the effective date for a single trip within a ten consecutive day period, continuous trips within a 30 consecutive day period or continuous trips for one year.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0003

RULE TITLE: Fee

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated the stated RUAF weights to 900,000 pounds to match current table.

RULE TEXT:

- (1) The permit fees required by ORS 818.270 shall be paid to the granting authority for every permit issued, except for permits issued to the federal government, State of Oregon, counties, and cities which are exempt pursuant to ORS 818.200(2).
- (2) Motor carriers having valid Oregon Department of Transportation authority may request that these fees be billed on a monthly basis. Accounts shall be determined to be delinquent under ORS 818.225 when:
 - (a) Billed fees have not been paid within 60 days of the billing date; or
 - (b) Reports from carriers used to determine fees have not been filed within 30 days of the mileage report request date.
- (3) Motor carriers with delinquent accounts are not eligible for variance permits until all fees are paid.
- (4) Road use assessment fees for gross weights up to 900,000 pounds are shown in a table prepared and maintained by the Chief Engineer. The fee is determined by the motor carrier's declaration of gross weight and number of axles used. If gross weight exceeds 900,000 pounds, the road use assessment fees will be computed by the department.
- (5) The road use assessment fees for any carrier may be increased based on actual weighing by State Motor Carrier Enforcement Officers and other authorized personnel or through audit by the Oregon Department of Transportation.
- (6) The road use assessment fees are not refundable unless the trip is not made.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 184.619, 818.200, 818.225

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0004

RULE TITLE: Permits Issued

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division for consistency.

RULE TEXT:

Permits authorized by Division 82 are issued to the transporting motor vehicle. The vehicle or combination of vehicles must be of legal size and weight except when operating under the terms of a permit. A permit may be issued for a load consisting of multiple items that are non-divisible.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 818.060, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0005

RULE TITLE: Definitions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removed unnecessary definitions from the list. Added definitions for Expanded trailer, Monitored move, Pinned axle(s), Special-use trailer, Stretch Trailer and Tow-Away Trailer for use in subsequent rules in the Division.

RULE TEXT:

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 (16) 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.
- (8) "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.
- (9) "Dromedary truck-tractor" means a motor vehicle designed to carry a load on a dromedary box, plate or deck, not exceeding 12 feet 06 inches in length inclusive of load and designed to pull a semitrailer.
- (10) "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.
- (11) "Emergency Vehicle" means a vehicle designed to be used under emergency conditions to transport personnel and equipment to support the suppression of fires and mitigation of other hazardous situations, operated by firefighters, regularly organized fire departments and/or volunteer firefighters as defined in ORS 652.050.
- (12) "Expanded trailer" means a trailer or semitrailer which can be extended in length by adding removable deck section(s).
- (13) "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.
- (14) "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.
- (15) "Gross Vehicle Weight Rating" (GVWR) means the gross vehicle weight rating as defined in ORS 801.298.
- (16) "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.
- (17) "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.
- (18) "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.
- (19) "Lift axle" means an axle that can be raised from or lowered to the surface of the ground.
- (20) "Monitored move" means some or all of the operations on a single-trip permit are observed by the Department, and assistance rendered as described in the permit.
- (21) "Motor truck" means a motor vehicle that is primarily designed or used for carrying loads other than passengers.

- (22) "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.
 - (D) Vehicles that are used by road authorities in the maintenance of public roads.
- (23) "Passenger vehicle" or "light vehicle" means a motor vehicle, regardless of design or intended use.
- (24) "Permit Weight Table 1" is the table of legal weight found in ORS 818.010. Permit Weight Table 1, revised January 2023, is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.
- (25) "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, revised January 2023, is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.
- (26) "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, revised January 2023, is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.
- (27) "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, revised January 2023, is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.
- (28) "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, revised January 2023, is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.
- (29) "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.
- (30) "Primary haul" means the non-divisible load transported under OAR 734-082-0053.
- (31) "Road use assessment fee" means a fee for each ESAL mile of travel as established by ORS 818.225.
- (32) "Secondary haul" means the divisible load transported under OAR 734-082-0053.
- (33) "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.
- (34) "Special-use trailer" means a trailer or semitrailer which is specifically designed to haul one type of commodity.
- (35) "Stinger steered" is as defined in ORS 801.507.
- (36) "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.

(37) "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.

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

(39) "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 810.050, 810.060, 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0006

RULE TITLE: Acceptance of Permit

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division for consistency and replaced permit attachments with provisions and requirements to encompass all requirements not just attachments.

RULE TEXT:

The receipt of a permit issued under these Division 82 rules by the permittee and initiation of any movement authorized by the permit is considered acceptance of all descriptions, terms and conditions contained in the permit provisions and requirements.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0009

RULE TITLE: Emergency Vehicle Authorization

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division for consistency.

RULE TEXT:

(1) Emergency vehicles are authorized to operate with a variance permit that is not subject to the maximum limits established in Division 82, 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 emergency vehicle.

(3) 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) 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 is available online at <http://www.oregontruckingonline.com/cf/MCAD/pubMetaEntry/restrictionsList/>.

(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 (1) and (3) above are not exceeded.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0010

RULE TITLE: Tires

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated the language to single-trip permit to align with current practices. Changed from "Shall" to "May" to align with Current practices.

RULE TEXT:

(1) The permitted vehicles must be equipped with tires of sufficient size so the gross weight on any wheel, axle, tandem axle, or group of axles does not exceed 600 pounds per inch of tire width, except as provided in section (2) of this rule.

(2) By single-trip permit, unladen self-propelled vehicles, equipped with low pressure flotation tires (15-inch or larger) may be permitted 700 pounds per inch of tire width to a maximum of 36,000 pounds on any single axle or 43,000 pounds on any tandem axle.

(3) In no instance shall the weight carried on a tire exceed the manufacturer's sidewall tire rating.

(4) A motor carrier transporting a single non-divisible permitted load that exceeds the weight limits allowed by ORS 818.010 may carry spare tires with or without wheels for the transporting equipment, and if transporting a vehicle, no more than one spare tire with or without wheel of each size used by the transported vehicle. The single non-divisible permitted load shall comply with the following dimensions:

(a) The width does not exceed eight feet six inches due to items loaded side by side or overlapping;

(b) The height does not exceed 14 feet due to items stacked one on the other; and

(c) The weight does not exceed that authorized by permit.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

ADOPT: 734-082-0011

RULE TITLE: Application for Permit

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Adding a rule for application for permit to this section. This rule is necessary to provide information about how to submit an application for Division 82.

RULE TEXT:

(1) Application for permits may be made in person or online. The completed permit may be mailed, transmitted electronically, or made available online for the applicant.

(2) Applicant must provide:

(a) Permittee name and address;

(b) Power vehicle year and make;

(c) Power vehicle identification number (also known as a VIN); and

(d) Power vehicle unit number, if one has been assigned by the permittee.

(3) Permits will not be issued when an application is incomplete.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-082-0015

RULE TITLE: Weight for Single Non-Divisible Loads

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating the revised dates for the tables and adding the note that they are part of this Division. Removed 4(b) as it is unnecessary for current practices.

RULE TEXT:

(1) The loaded weight of a group of axles, vehicle, or combination of vehicles shall not exceed that specified in the Permit Weight Table assigned to the permit. In no case shall the loaded weight exceed:

(a) 21,500 pounds per axle, except as described in OAR 734-082-0010(2);

(b) 43,000 pounds per tandem axle;

(c) 98,000 pounds loaded weight for continuous trip permits;

(d) The weight otherwise specified on the permit; or

(e) The sum of the permissible axle, tandem axle, or group axle weight, whichever is less.

(2) Auxiliary axle(s) must be deployed, and distribute the weight of the load or vehicle, when failure to do so results in any tire, axle, tandem axle or group of axles exceeding the weight limits allowed by OAR 734-074-0020.

(3)(a) In a combination of two vehicles other than a truck-tractor and semitrailer, the axle and tandem axle weights listed in subsections (1)(a) and (b) of this rule may be allowed by permit for the towing vehicle or the towed vehicle, but not both, if the gross weight does not exceed that authorized in ORS 818.010 except;

(b) When the combination of vehicles is a motor truck and stinger-steered balance trailer, the axle and tandem axle weights listed in subsections (1)(a) and (b) of this rule may be allowed by permit for both vehicles if the load is carried on the balance trailer, and the towing vehicle is unladen.

(4) Overweight permits will be valid only for a single non-divisible load, except a permit may be issued for a single load consisting of multiple assembled parts constituting an integral whole with detached accessories included in the load, if the accessories are detached to reduce width, height, length, or a combination of these dimensions, and an overweight permit could have been issued for the load in its assembled condition.

(a) Single-trip permits may be issued for combinations of vehicles having a steering axle followed by four or more consecutive tandem axles, provided the weight does not exceed:

(A) 600 pounds per inch of tire width;

(B) 24,000 pounds per axle, except as described in OAR 734-082-0010(2);

(C) 48,000 pounds per tandem axle;

(D) The weights listed in Permit Weight Table 5 for groups of axles; or

(E) The sum of the permissible axle, tandem axle, or group of axle weights, whichever is less.

(b) Permits issued under this section are subject to special routing and analysis by the Department of Transportation. Weights exceeding those listed on Permit Weight Table 5, revised January 2023, will require a case by case engineering review and approval by the Department of Transportation Bridge Section before a permit will be issued. Permits issued under such Bridge Section review authority shall specify maximum allowable axle, tandem axle, and group axle weights which may not be exceeded and shall be valid only for the single specific movement requested and reviewed unless authorized by the Bridge Section. Permit Weight Table 5 is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.

(c) All movements shall be subject to any posted weight limitation in effect on any highway, highway section, bridge, or structure.

(d) Equipment used in the loading, unloading or operation of the vehicle may be transported with the permitted item.

(5) The road use assessment fee required in OAR 734-082-0003 is based on the weight requested for the permit. The weight shown on the permit is the maximum weight permitted.

(6) The Department of Transportation may publish tables of weights that may be authorized by these rules, subject to route analysis for each trip.

(7) In no instance may the vehicle combination exceed the manufacturer's GVWR for the vehicle or the vehicle combination and load.

(8) The exception described in ORS 818.030(10) and 818.340(4) is limited to the actual weight of the idle reduction system, not to exceed 550 pounds. In order to qualify for the exception, the operator of the vehicle may be required to prove:

(a) By written certification the weight of the auxiliary power unit; and

(b) By demonstration or certification that the idle reduction technology is fully functional.

(9) A vehicle that uses natural gas as its fuel source, or is powered primarily by means of an electric battery, may exceed the weight limitations established under ORS 818.010 by not more than 2,000 pounds.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.010, 818.030, 818.220, 818.225, 818.340

AMEND: 734-082-0016

RULE TITLE: Weights for Multiple Non-Divisible Loads

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Adding language to state that the weight table is part of Division rules and adding its revised date.

RULE TEXT:

- (1) The loaded weight of a group of axles, vehicle, or combination of vehicles shall not exceed that specified in the Permit Weight Table assigned to the permit.
- (2) The maximum allowable weight for single axles and tandem axles shall not exceed those specified under ORS 818.010(1) and (2).
- (3) When a group of axles or gross weight is 80,000 pounds or less, the maximum allowable weight shall not exceed those specified under ORS 818.010(3).
- (4) When a group of axles or gross weight is more than 80,000 pounds, the maximum allowable weight shall not exceed those set forth in Permit Weight Table 2, revised January 2023. In no case may gross weight exceed the sum of the permissible axle, tandem axle or group of axle weights, whichever is less. Permit Weight Table 2 is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.
- (5) The exception described in ORS 818.030(10) and 818.340(4) is limited to the actual weight of the idle reduction system, not to exceed 550 pounds. In order to qualify for the exception, the operator of the vehicle may be required to prove:
 - (a) By written certification, the weight of the auxiliary power unit; and
 - (b) By demonstration or certification, that the idle reduction technology is fully functional.
- (6) A vehicle that uses natural gas as its fuel source, or is powered primarily by means of an electric battery, may exceed the weight limitations established under ORS 818.010 by not more than 2,000 pounds.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.060, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.010, 818.030, 818.220, 818.225, 818.340

AMEND: 734-082-0020

RULE TITLE: Width

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Minor amendments to punctuation to enhance readability.

RULE TEXT:

Permits are required for widths more than eight feet six inches:

(1) Unless specifically stated on the permit as authorized by ORS Chapter 818 or rule, overwidth permits will not be valid if overwidth is caused by two or more items placed side by side or overlapping, or for items that could be loaded at a legal width.

(2) Except as provided in section (3), items joined (by spot weld, tack weld, bolting, or strapping, etc.) to facilitate transport, shall be considered to be divisible loads and not eligible for overwidth permits.

(3) Loads no wider than 14 feet consisting of pre-assembled railroad track sections are eligible for overwidth permits.

STATUTORY/OTHER AUTHORITY: ORS 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.210, 818.220, 818.225

AMEND: 734-082-0021

RULE TITLE: Days of Travel and Peak Traffic Hour Restrictions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated revised dates for all attachments and maps. Added language to make these attachments consistent with other rules in the Division.

RULE TEXT:

(1) Except as provided in section (2) and (3) of this rule or by verbal authorization as described in OAR 734-082-0080, or as authorized by a road authority exercising its permitting powers under ORS 818.200, movement of an oversize vehicle or load is subject to the time of travel restrictions described on Attachment H, revised January 2023, which is included with a Division 82 permit. Attachment H is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.

(2) When responding to a fire under the invocation of the Emergency Conflagration Act ordered by the Governor or their designee, pursuant to ORS 476.510 through 476.610, permitted moves of equipment between fire locations or returning to the place of origin is not subject to weekend or holiday restrictions as described in Attachment H, revised January 2023.

(3) Annual permits may be issued to the Oregon Department of Forestry, authorizing oversize movement at all hours on all routes shown on Group Map 1, revised April 2021, when operating in support of fire suppression operations or returning from such operations with the following provisions:

(a) Overwidth loads must comply with pilot vehicle requirements as shown on Attachment 82A, revised June 2016, at all hours, except as described in subsection (b) of this rule;

(b) Movement during daylight hours for widths up to 10 feet is allowed on purple routes on Route Map 2, revised August 2014, without pilot vehicles, when operating as an emergency vehicle and with required emergency lighting;

(c) Oregon Department of Forestry staff must ensure there are no road or bridge restrictions on the route, prior to movement. Group Map 1 is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.

(4) The Chief Engineer and the Administrator of the Commerce and Compliance Division may both impose or alter time of travel restrictions. These may be necessary to prevent conflict with highway construction or repair projects or to cope with local or seasonal traffic conditions.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.220, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0025

RULE TITLE: Height

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Making minor changes in punctuation and wording to be consistent across rules.

RULE TEXT:

(1) Permits are required for all vehicles or combinations of vehicles, including any load, which exceeds 14 feet in height. Unless specifically stated on the permit as authorized by ORS Chapter 818 or rule, over-height permits will not be valid for loads or items placed or stacked one on top of another or overlapping.

(2) The height of a permitted load is measured from the ground to the highest point as it is ready for transport on the highway.

(3) Vertical clearance through or under structures for over-height permitted loads is allowed to be up to, but within no more than four inches of the lowest determined physical clearance for each traffic lane of each structure. Over-height loads are routed under or around structures according to this maximum buffered vertical clearance.

(4) The Chief Engineer or designee of the Department of Transportation Bridge Engineering Section is responsible for obtaining and maintaining accurate vertical clearance measurements under all Oregon highway structures.

(5) The Chief Engineer authorizes the Administrator of CCD to approve a route and issue a permit resulting in maintaining less than a four inch buffer distance between the load and the structure on a case by case basis only after reviewing vertical clearance measurements and determining issuance of the permit is reasonable. Permits issued under this subsection will be valid only for the single specific movement requested and approved unless otherwise authorized by the Administrator. Permits issued under such conditions may require coordination and monitoring by Department of Transportation staff as designated.

STATUTORY/OTHER AUTHORITY: ORS 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0030

RULE TITLE: Overhang

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating the wording to clarify rule language and make it more easily understood.

RULE TEXT:

(1) Permits are required for excessive front and/or rear overhang as follows:

- (a) Front overhang: When any load, including crane booms, log grapples, conveyors, cement chutes, loading buckets, etc., extends more than four feet beyond the front bumper or foremost part of the vehicle or combination of vehicles;
 - (b) Rear overhang — Solo vehicle: Single-trip or continuous trip If the rear overhang exceeds 3/4 of the wheelbase of the vehicle. A permit may be issued allowing a maximum rear overhang equal to the wheelbase of the vehicle provided front overhang does not exceed four feet;
 - (c) Rear overhang — Combination of vehicles. If rear overhang exceeds what is legally allowed, a single-trip permit may be issued for a rear overhang not to exceed 1/2 of the wheelbase of the combination of vehicles, except that:
 - (A) Continuous trip permits for truck-tractor with semitrailer combinations may be issued for rear overhang not to exceed 1/2 of the wheelbase of the combination of vehicles for designated routes when a permit is issued for load length not in excess of 70 feet and overall length is not in excess of 80 feet, and when movement is on routes approved for these permits by the Chief Engineer; or
 - (B) Continuous trip permits may be issued for rear overhang that exceeds the limits imposed in this subsection if the Administrator of CCD determines that the public interest requires the impending movement, and the movement can be performed safely.
- (2) Wheelbase measurement will be from the center of the first axle to the center of the last axle of the vehicle or combination of vehicles.
- (3) Rear overhang will be measured from the center of the last axle of the vehicle or combination of vehicles to the end of the load.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.100, 818.200, 818.220

AMEND: 734-082-0035

RULE TITLE: Pilot Vehicle(s)

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updated the Attachment name and added revised date. Added language for the attachment to coincide with other rule changes. Removed redundant information about where the attachment is available.

RULE TEXT:

(1) Pilot vehicles may be needed to ensure the safety of the traveling public when vehicle and load movements involve excessive width, height, length or projections to the front or rear of vehicles or combinations of vehicles. The configuration of such pilot vehicle(s) must be a passenger car, pickup truck, truck, or truck-tractor of legal size and weight. A pilot vehicle may not tow another vehicle.

(2) Pilot vehicles escorting oversize loads or vehicles are required to have the following:

(a) Warning sign(s) mounted above the roofline of the vehicle. One required sign must bear the legend "OVERSIZE LOAD." When three front pilot vehicles are required by a permit, and the load will cross the centerline of the highway, additional signs that bear the legend "REDUCE SPEED" and "MOVE RIGHT" may be required. Signs must be at least five feet wide by ten inches high; have black letters eight inches high with one-inch brush stroke in accordance with Federal Highway Administration series B, on highway yellow background. Signs must be displayed only during the course of the oversize movement, and must be removed or retracted at all other times. Signs must be clean, legible, and mounted adequately to afford full view at all times, when in use, to the front or rear depending upon location of pilot vehicle or relative to the oversize unit;

(b) Warning lights are required in addition to those lights that may otherwise be required by law. The warning lights must be displayed only during the course of the oversize movement, and at all other times the requirements found in ORS 816.350(7) must apply. Strobe lights are allowed. These lights must be mounted above the roof of the cab, be clearly visible from a distance of 500 feet, have a minimum of 30 flashes per minute and be either:

(A) Two flashing amber lights as widely spaced laterally as is practical; or

(B) Revolving type amber light(s); or

(C) Amber type strobe light(s) with 360 degree visibility.

(c) Two-way radio communications between the oversize vehicle and the pilot vehicle(s) must be maintained at all times;

(d) Two 18-inch-square red flags mounted on three-foot length staffs must be carried by each pilot vehicle. The pilot vehicle operator will use the flags to warn oncoming or overtaking traffic when the oversize unit is stopped and/or obstructing traffic;

(e) Eight safety flares or reflectors. Safety flares may not be used when the movement involves hazardous materials; and

(f) For a load exceeding 14 feet 6 inches high, an over-height pole adequate to determine load clearance is required if the permittee has not provided the department with a signed official ODOT form assuming all liability for any damage that may occur during an over-height movement. Instructions for over-height pole use are found on Attachment 82A, revised January 2023. Attachment 82A is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.

(3) The number of pilot vehicles required for certain movements is shown on Attachment 82A, revised January 2023, which is issued with permits requiring pilot vehicles. The Chief Engineer is authorized to alter the number of pilot vehicles from those specified in Attachment 82A depending upon local conditions, seasonal traffic, construction projects, or other considerations. The permit will reflect altered requirements.

(4) The highway classification groups referred to in Attachment 82A, revised January 2023, are established and maintained by the Chief Engineer.

(5) Positioning of pilot vehicles — Unless specified otherwise, the pilot vehicle(s) must be positioned ahead of (when one is required) or to the front and rear of (when two or more are required) the oversize unit at a distance of 300 feet to 500 feet from the unit. In areas where traffic congestion is encountered, where traffic is controlled by signals, or where other conditions may require, the spacing will be reduced as may be required to properly safeguard the traveling public.

(6) When for any cause the oversize unit is stopped and occupies or encroaches onto the highway's travel lane, the pilot vehicle(s) must be positioned to warn and safeguard other traffic approaching from any direction from which visibility or sight distance may be limited.

(7) Duties of pilot vehicle operations:

(a) Warn approaching and/or overtaking traffic of the unit's presence on the highway to provide a maximum of protection and safety for the traveling public; and

(b) When encountering bridges, structures, tunnels, or other locations where clearances may be limited to the extent that normal two-way traffic cannot be maintained, the pilot vehicle operator must signal by hand or radio to the towing vehicle driver when the oversize unit can proceed without conflict to approaching traffic. As the oversize unit then proceeds through such areas of impaired clearance, the pilot vehicle operator will act as flagger to warn approaching traffic.

(8) Pilot vehicles are considered to be under the direct control and supervision of the operator of the vehicle to which the permit is issued.

(9) Specifically identified locations may require additional precautions. Permits may specify locations that require certified flagging to be conducted. The flagging must be conducted in accordance with the standards in the Manual on Uniform Traffic Control Devices as adopted in OAR 734-020-0005.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-082-0039

RULE TITLE: Self-Propelled Fixed-Load Vehicles

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Adding revised date for the weight table and adding language to coincide with other rule changes regarding attachments in the Chapter and Division.

RULE TEXT:

(1) Self-propelled fixed load vehicles may be authorized for continuous trip permits provided that the width does not exceed 14 feet, the height does not exceed 14 feet, the weight does not exceed 98,000 pounds and does not exceed the weights in Permit Weight Table 4, revised January 2023, and:

(a) Vehicle overall length, which may include an auxiliary axle, does not exceed 55 feet; and

(b) When towing a boom dolly, pickup truck, trailer or passenger car, the overall combination length does not exceed 75 feet; and

(c) A pickup truck, trailer or passenger car towed under this rule shall not exceed the weight allowed under ORS 818.010 and shall not exceed 20 feet in length.

(2) Movement of self-propelled fixed load vehicles or combinations that do not meet the conditions in section (1) of this rule may require a single-trip permit. Weight Table 4 is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.

STATUTORY/OTHER AUTHORITY: ORS 814.619

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0040

RULE TITLE: Combination of Vehicles

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating revised dates and adding language to the attachments, and maps to coincide with other changes throughout the Division and Chapter.

RULE TEXT:

(1) The following vehicles or combinations of vehicles may be authorized for continuous trip permits over authorized routes provided the width does not exceed 14 feet, the height does not exceed 14 feet or, except for self-propelled fixed load vehicles limited by OAR 734-082-0039, 14 feet 6 inches on specifically authorized routes, and the overall length does not exceed that stated below:

(a) A solo vehicle must not exceed 40 feet and vehicle inclusive of load must not exceed 60 feet in overall length.

(b) Truck-tractor and semitrailer combinations, which may include an auxiliary axle, must not exceed the length limits as shown on the reverse of Group Map 1, revised April 2021, or Route Map 7, revised January 2023, whichever is greater, and the semitrailer must not exceed 53 feet in length including the auxiliary axle. An auxiliary axle attached to the rear of a trailer must be included in the measurement of the trailer unless the combination measurement exceeds 53 feet. Group Map 1 and Route Map 7 are by reference made part of Division 82 rules, and are available from the CCD Over-Dimension Permit Unit.

(c) Motor truck and trailer must not exceed 75 feet in overall length.

(d) Truck-tractor with semitrailer and trailer combinations must not exceed the length limits shown on the reverse of Group Map 1, revised April 2021, or Route Map 7, revised January 2023, whichever is greater.

(e) Passenger or light vehicles towing any trailer must not exceed 70 feet in overall length.

(f) An unladen combination of vehicles used to transport non-divisible loads may consist of the truck-tractor, jeep axle(s), a trailer, booster axle(s), dolly(s), steering axle(s), flip axle(s) or a flip neck extension, pinned axle(s) and other equipment needed to transport the non-divisible load. Trailer length must not exceed 62 feet. The combination must be reduced to the shortest length practicable; however overall length must not exceed 105 feet. Unladen movement is authorized with equipment needed to legally transport the non-divisible load loaded on the trailer.

(2) When the combination of vehicles includes jeep axles, or other vehicles of a size or weight not authorized by section (1) of this rule, movement must be by single trip permit only.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-082-0045

RULE TITLE: Trailer Provisions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Making a minor punctuation change to promote naming consistency.

RULE TEXT:

- (1) Single-trip permits for trailers or semitrailers that exceed 53 feet in length for movement of non-divisible loads, or unladen movement, shall be granted on an individual basis.
- (2) Permits issued authorizing semitrailers or trailers to exceed 53 feet in length must be warranted by the size or weight of the non-divisible load and meet one or more of the following criteria:
 - (a) The use of trailer is necessary to reduce the height of a load; or
 - (b) The use of the trailer is necessary to support the load, otherwise it would be damaged by allowing it to overhang the trailer, or by sagging due to insufficient support; or
 - (c) The use of the trailer is necessary to accommodate the weight of the load.
- (3) When not operating under the terms of a permit, the unladen semitrailer or trailer must be reduced to no greater than 53 feet in length, and the overall length of the combination cannot exceed the length limit allowed for the highway(s) traveled.
- (4) A truck-tractor semitrailer or trailer combination under this rule may only be granted permits for trailers over 53 feet in length for the following types of trailers:
 - (a) Stretch trailers;
 - (b) Expanded trailers;
 - (c) Special use trailers;
 - (d) Tow-away trailers;
 - (e) Trailers with flip axle(s) deployed;
 - (f) Trailers with a flip neck extension deployed; or
 - (g) Trailers that have additional axle(s) which may be pinned, and are removable.
- (5) Requests for permits for semitrailers or trailers in a truck-tractor semitrailer or trailer combination that exceed 53 feet in length, which cannot be classified as a semitrailer or trailer under section (4) of this rule, will not be granted unless the Administrator of CCD determines that the public interest requires the semitrailer or trailer for the impending movement, and the movement can be performed safely. The Administrator of CCD may delegate the authority to make this determination to CCD personnel.
- (6) An unladen truck-tractor and semitrailer or trailer combination under this rule may be granted permits for trailers that exceed 53 feet in length for the following types of trailers:
 - (a) Special use trailers which cannot be reduced in length; or
 - (b) Expanded trailers, trailers with flip axle(s) or flip neck extension deployed, pinned (axles), or other components which would require special equipment in order to accommodate reducing the trailer length.
- (7) Requests for permits for unladen semitrailers or trailers in a truck-tractor semitrailer or trailer combination that exceed 53 feet in length, which cannot be classified as a trailer under section (6) of this rule, will not be granted unless the Administrator of CCD determines that the public interest requires the semitrailer or trailer for an impending movement, and the movement can be performed safely. The Administrator of CCD may delegate the authority to make this determination to CCD personnel.
- (8) A combination of vehicles which consists of a truck-tractor, semitrailer or trailer as described in section (4), or a fixed trailer, which also includes at least one of the following vehicles may be granted permits for trailers over 53 feet in length:
 - (a) Jeep axle(s);
 - (b) Booster axle(s);
 - (c) Steering axle(s) dollies

(9) An unladen combination of vehicles as described in section (8) may be granted permits for trailers over 53 feet in length. The combination must be reduced to the shortest length practicable.

(10) Requests for permits for trailers or semitrailers exceeding 53 feet in length for movement of a non-divisible load that does not warrant the size of the trailer as described in section (2), may be authorized on a case-by-case basis as a primary haul or secondary haul movement.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0050

RULE TITLE: Load Length

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Removing section on continuous trip permits as it is covered elsewhere in rule and statute.

RULE TEXT:

- (1) Variance permits are required for non-divisible loads that exceed legal length specified in ORS Chapter 818.
- (2) Overlength permits will not be valid if overlength is caused by multiple items placed end to end, or overlapping unless specifically stated on the permit as authorized by statute or rule.
- (3) Items joined (by spot weld, tack weld, bolting, strapping, etc.) to facilitate transport, shall be considered to be divisible loads and not eligible for overlength permits.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.210, 818.220, 818.225

AMEND: 734-082-0051

RULE TITLE: Commodities Authorized by the Permit

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Adding a revised date for the weight table and adding necessary language regarding the table to coincide with other changes in the Division.

RULE TEXT:

(1) Authorized commodities may be transported on vehicles up to eight feet six inches in width and on trailers up to 53 feet in length and with weights authorized under ORS 818.010. Other items may be transported in addition to the commodity authorized by the permit provided:

(a) Items are not more than eight feet six inches in width when items are stacked side by side or overlapping, or more than 14 feet in height when items are stacked one on the other. Loads consisting of pipe and culverts where smaller pipe or culverts are contained within the larger pipe or culvert may be authorized greater dimensions; and

(b) The authorized weight does not exceed that allowed under ORS 818.010, unless the single-trip permit authorizes Permit Weight Table 2, revised January 2023. Permit Weight Table 2 is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.

(2) A permit issued under these Division 82 rules shall not be combined with a permit issued under another division of the department's rules unless specifically authorized on the permit.

(3) The following apply to authorized commodities and related items transported on vehicles exceeding eight feet six inches in width, or with trailers exceeding 53 feet in length, and with weights authorized under ORS 818.010:

(a) As used in ORS 818.210, the term "items related to" means:

(A) Equipment used in the operation of the vehicle transporting the permitted load; or

(B) Items authorized by a permit and listed on the bill of lading, if:

(i) They are the same manufactured commodity as the permitted item; or

(ii) They are accessory parts of the permitted item.

(b) The use of an oversize vehicle or combination of vehicles must be warranted by the size of the permitted item;

(c) Related item(s) may be transported on the upper deck of a drop deck trailer. Item(s) transported on the upper deck shall not exceed 14 feet in height or the loaded height of the load on the lower deck, whichever is greater;

(d) Authorized commodities may not be more than eight feet six inches in width when items are stacked side by side or overlapping, or be more than 14 feet in height when items are stacked one on the other. Loads consisting of pipe and culverts where smaller pipe or culverts are contained within the larger pipe or culvert may be authorized greater dimensions;

(e) Related items may not extend past the rear of the trailer or semitrailer if the trailer exceeds 53 feet. Smaller pipe and culverts may extend beyond the rear of the trailer or semitrailer when contained within the larger permitted pipe or culvert but the smaller pipe or culvert may not extend beyond the larger pipe or culvert; and

(f) Except as provided in OAR 734-082-0053, multiple items may not be transported on an oversize vehicle or combination of vehicles without the permitted item.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0053

RULE TITLE: Primary and Secondary Haul

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Adding revised date for the weight table and adding the necessary language about the table to coincide with the other changes made throughout the Division. Adding "-" to all instances of single-trip permit to promote consistency.

RULE TEXT:

- (1) A combination of vehicles that includes a semitrailer exceeding eight feet six inches in width or exceeding 53 feet in length shall not transport multiple items except as authorized in OAR 734-082-0051 or this rule. This section authorizes multiple items transported on a semitrailer up to 10 feet in width or with trailers up to 62 feet in length and with weights authorized under ORS 818.010.
- (2) A single-trip permit may be issued authorizing item(s) to be transported as a secondary haul movement provided:
 - (a) A single-trip permit authorizing the primary haul is issued and the single trip permit for the secondary haul is applied for listing the commodities and their origination point and is issued at the same time;
 - (b) The origination point of the secondary haul load shall:
 - (A) Be on the route of the primary haul; or
 - (B) Not be greater than 25 road miles from the origin/delivery point of the primary haul;
 - (c) Items stacked side by side or overlapping shall not be more than eight feet six inches in width;
 - (d) Items stacked one on the other or transported on the upper deck(s) of a drop deck trailer shall not be more than 14 feet in height;
 - (e) Items loaded end to end on a semitrailer shall not exceed 53 feet in length; and
 - (f) The authorized weight for the secondary haul shall not exceed that allowed under ORS 818.010 unless the single-trip permit authorizes Permit Weight Table 2, revised January 2023. Permit Weight Table 2 is by reference made part of Division 82 rules, and is available from the CCD Over-Dimension Permit Unit.
- (3) The single-trip permits issued for the primary and secondary haul shall display the number of the permit issued for the accompanying primary or secondary haul in the Special Provisions section of the permit.
- (4) The single-trip permits authorizing the primary haul and the secondary haul and the bill of lading of each haul shall be carried in the vehicle and made available on request by enforcement personnel or other ODOT personnel.
- (5) The single-trip permits authorizing the primary haul and secondary haul shall run concurrently and shall not exceed a period of 10 days.

STATUTORY/OTHER AUTHORITY: ORS 810.050, 810.060, 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0055

RULE TITLE: Approved Routes for Authorized Combinations of Vehicles

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Capitalized Division and added Chapter to promote consistency. Removed Gendered language for Chief Engineer.

RULE TEXT:

(1) The Chief Engineer, or a designee, may approve, limit or delete by written order the state highways or sections of state highways approved for use by vehicles authorized by OAR Chapter 734, Division 82.

(2) The Chief Engineer may also specify the type(s) of vehicle combinations authorized on approved routes.

(3) The list of approved highways and types of vehicle combinations authorized are maintained by the Chief Engineer.

(4) Trial test runs may be required to revise routes or approved vehicle combinations.

(5) Before adding or deleting highways or sections of highways, the Chief Engineer shall investigate the condition of the highway, and may consider road surface width, condition, safe passing opportunities, bridges, structures, accessibility, general sight distance, and other conditions deemed appropriate along such highways.

STATUTORY/OTHER AUTHORITY: ORS 183.335(5), 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0060

RULE TITLE: Chief Engineer's Authority

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Adding hyphen in single-trip permit to promote consistency.

RULE TEXT:

Some extraordinary movements may exceed the limits established by these rules. The Chief Engineer may vary from these rules and issue single-trip permits if the movement would be in the public interest. Any such deviations may be considered on an individual basis and not be construed as a change in policy. The Chief Engineer will consider potential damage to the highway and the potential hazard to the motoring public by allowing such loads.

STATUTORY/OTHER AUTHORITY: ORS 810, 183.335(5), 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.220, 818.225

AMEND: 734-082-0070

RULE TITLE: General Permit Provisions

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Updating the contact method and language around reporting incidents to CCD to be consistent with current practices. Added (10) to require reimbursement for services rendered during a monitored move.

RULE TEXT:

- (1) Posted Load Limits: Notwithstanding the weights or dimensions allowed under a permit, the posting of any highway or structure to reduce weights or dimensions will modify the limits allowed under the permit.
- (2) Impaired Clearance: Full responsibility for determining adequate clearance, both vertical and horizontal is hereby imposed upon the permittee and the driver of equipment having a width and/or height in excess of the legal limit. When the vertical or horizontal clearance of any bridge or structure is impaired to the extent that full two-way traffic cannot be maintained, the permittee must provide a pilot vehicle for the purpose of preventing approaching vehicles from entering the bridge or structure while it is impaired by the movement covered by this permit.
- (3) Spacing Interval: Two or more vehicles required to display warning signs must maintain a distance of one-half mile between combinations traveling in the same direction, except when overtaking or passing or in areas where increased traffic congestion is encountered, where traffic is controlled by signals, or where other conditions may so require. All slow-moving lanes and turn-outs must be used to allow following traffic to pass.
- (4) Bond — Highway Damage: Permittee will be held responsible and liable for any and all damage to, or destruction of any highway or any highway structure occasioned by the movement over said highways, and hereby agrees to reimburse the Department of Transportation (Department) for the cost or expense of repairing or restoring any highway structure damaged, or destroyed: such reimbursement to be made by the permittee within ten days after being billed for the same by the Department. When requested to do so, permittee must furnish the State either a certified check or a surety bond, in any amount to be specified by the Department to guarantee the payment of claim for damages which may result from movement of an unusually large or heavy nature.
- (5) Insurance: Permittee will also be held responsible and liable for any and all injury to persons or damage to property resulting from the movement on said highways, and will indemnify and hold harmless the State of Oregon, and Oregon Transportation Commission, its members, officers, and employees, jointly and severally, from liability in the event that such injury or damage may occur. In this connection, the granting authority may require the permittee to furnish to the Department evidence of satisfactory public liability and property damage insurance, in amounts as may be required by the Commission, and evidence of satisfactory indemnity insurance indemnifying the State of Oregon and its Transportation Commission, its members, officers, and employees, jointly or severally against liability in the event of any injury or collision occurring by reason of said permittee's operations on a state highway. This permit will automatically terminate, and be of no force and effect in the event that any insurance filed under this provision is canceled or is allowed to lapse.
- (6) County Roads and City Streets: This permit does not authorize operations over county roads or city streets unless specifically noted. To operate over a county road a permit must be obtained from the county authority having jurisdiction over the road; likewise, to operate over a city street other than a state highway route, a permit must be obtained from the proper city authority.
- (7) Cancellation: This permit may be canceled at any time by the granting authority upon proof satisfactory to it that the permittee has violated any of the terms of the permit, or that the permit was obtained through misrepresentation in the application therefor, or when in the judgment of the granting authority the public interest requires cancellation (ORS 818.220).
- (8) Rear-view Mirrors: Vehicles or combinations of vehicles towing or transporting over-width vehicles, machines or loads under authority of this permit must be equipped with rear-view mirrors capable of affording the operator a view to the rear of the vehicle and/or combination of vehicles. Such mirrors may exceed width authorized herein by five inches on either side, but must be retracted to legal width when vehicle or combination of vehicles and/or load is of legal

width.

(9) In addition to any other notification required by law, within 24 business hours of striking a structure, the motor carrier must report the incident to the Over-Dimension Permit Unit at 503-373-0000.

(10) The motor carrier will be required to reimburse the department for the cost of services rendered as part of a monitored move.

STATUTORY/OTHER AUTHORITY: ORS 810.060, 184.619

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-082-0080

RULE TITLE: Emergency Verbal Authorization

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Amending the language around emergency verbal authorization to clarify the language for easier readability.

RULE TEXT:

(1) When a motor carrier learns of the need to use an oversize vehicle, or transport an oversize load, to respond to an emergency and is unable to obtain a written variance permit, the motor carrier may request verbal authorization in lieu of a written permit.

(2) A motor carrier seeking verbal authorization must:

(a) Telephone the Commerce and Compliance Division, Over-Dimension Permit Unit at 503-931-1541, provide the Over-Dimension Permit Unit with any information requested regarding the movement, and receive the authorization before operating the oversize vehicle or transporting the oversize load; and

(b) On the first business day following the authorization, telephone the Over-Dimension Permit Unit to confirm that the emergency movement occurred and request the written permit.

(3) The Over-Dimension Permit Unit will determine if the request constitutes an emergency move, and if approved will either issue a written permit or:

(a) Inform the motor carrier of the terms and conditions of the authorization;

(b) Remind the motor carrier of their obligation to obtain, on the first business day following the authorization, the written permit for the emergency movement; and

(c) Create and retain a written record of the authorization that includes:

(A) The date and time of the authorization;

(B) The route; and

(C) Any terms and conditions of the authorization.

(4) Emergency moves operating under ORS 818.100(9) are subject to all of the requirements set forth in this rule, except for moves on county roads. Moves on county roads are only subject to requesting the permit after the move has been made on the following business day pursuant to 734-082-0080(2)(b).

(5) Nothing in this rule relieves the motor carrier from its obligation to comply with all requirements related to oversize movements.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.220

AMEND: 734-082-0085

RULE TITLE: Special Variance Permits During Periods of National Emergency

NOTICE FILED DATE: 11/07/2024

RULE SUMMARY: Amending the language around national emergencies and disasters to clarify the rule and enhance readability.

RULE TEXT:

- (1) A special variance permit may be issued during an emergency to an overweight vehicle and a load that can easily be dismantled or divided, if:
- (a) The President of United States has declared the emergency to be a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);
 - (b) The permit is issued in accordance with State law;
 - (c) The permit is issued exclusively to a vehicle and load that is delivering relief supplies and removing debris; and
 - (d) The issuance of the special variance permit is to exceed the Federal weight limitations on Interstate highways only.
- (2) A permit issued under paragraph (1) will expire no later than 120 days after the date of the declaration of emergency or major disaster under subparagraph (a) of that paragraph.
- (3) For purposes of this rule, facilitating delivery of relief supplies may include, but are not limited to:
- (a) Medicine and medical equipment;
 - (b) Food supplies (including feed for livestock);
 - (c) Water;
 - (d) Materials used to provide or construct temporary housing;
 - (e) Debris removal; and
 - (f) Other supplies directly supporting the type of relief needed following a disaster.
- (4) The term "delivering" means transporting relief supplies to any destination that is part of the geographical area covered by the emergency or major disaster declaration. Special variance permits may be issued to vehicles destined for a disaster area located in another State.
- (5) A person who is issued a special variance permit as described in this rule for a divisible load over 98,000 pounds is required to pay road use fees described in ORS 818.225 in addition to the permit fee.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 823.011

STATUTES/OTHER IMPLEMENTED: ORS 818.200, 818.210, 818.220, 818.225