



TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

DOD 2-2026

CHAPTER 734

**DEPARTMENT OF TRANSPORTATION
DELIVERY AND OPERATIONS DIVISION**

FILED: 10/08/2026 11:29 AM

ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Clarifying Definitions Pertaining to Combinations Not Subject to Overall Length Restrictions
(Automobile and Boat Transporters)

EFFECTIVE DATE: 10/08/2026 THROUGH 04/05/2027

AGENCY APPROVED DATE: 10/08/2026

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NEED FOR THE RULE(S):

Recently, judges have disaffirmed over-length citations issued by motor carrier enforcement officers, leading to the unsafe operation of overlength configurations. The courts' conclusions are based primarily on the use of "may" currently in definitions in OAR 734-073-0051(11) and (12) (defining "traditional automobile transporter" and "traditional boat transporter," respectively). With the word "may," vehicles that are not automobile transporters or boat transporters may operate with vehicle configurations beyond intended legal limits established in federal law. This temporary rulemaking removes the use of "may" in these definitions and incorporates into them the language, "a power unit that includes a framework or other assembly that also provides the ability to transport" automobiles or boats. An additional amendment to OAR 734-073-0051(1) includes language from federal law to further ensure clarity by excluding from the definition of "automobile transporter" standard "high mount" tractor-semitrailer combinations, as described in the rule. These amendments align definitions in Oregon law with those in federal law, ensuring proper length restrictions appropriately apply to each vehicle configuration.

JUSTIFICATION OF TEMPORARY FILING:

- (1) Without these amendments to the Definitions rule, CCD anticipates the ongoing issuance of unenforceable citations. Continued use of “may” in OAR 734.073.0051 allows motor carrier citations to be dismissed in court, which could embolden carriers into operating beyond legally allowed lengths. This could lead to increased safety hazards along our highways as overlength vehicles pose risks on highways not designed for them—such as insufficient lane width, reduced maneuverability and higher crash potential. This could undermine CCD’s regulatory authority, as enforcement officers might lose credibility and deterrence, potentially leading to noncompliance by carriers. Furthermore, repeated operation of oversize vehicles accelerates degradation of our vital infrastructure. Finally, conflicts between OAR and federal requirements could pose a risk of legal challenges or loss of federal funding.
- (2) The traveling public suffers due to increased crash risk, traffic congestion and delays due to improperly sized vehicles. CCD suffers enforcement inefficiency, reduced authority and increased administrative burden. Municipalities and local road jurisdictions face infrastructure damage and safety hazards without ability to enforce length limits. Taxpayers ultimately shoulder costs of infrastructure repair and increased accident rates. Finally, law-abiding motor carriers can face unfair competition from carriers operating outside legal limits.
- (3) Immediate action is critical, as delay amplifies risk. Every day without the rule amendment perpetuates allowable overlength operation. The continued use of “may” in the current rule reinforces the current interpretation and reversing that interpretation may become more difficult over time. Finally, safety outcomes can degrade measurably, as the longer vehicles continue to operate beyond limits, increasing crash exposure and infrastructure damage.
- (4) The temporary rule mitigates these harms by clarifying the intent of Oregon law and aligning it appropriately with federal law, amending the language to clarify the definitions and ensure citations can be upheld by the courts. This restores CCD’s enforcement efficacy, and our officers can regain the ability to issue enforceable citations for non-compliant vehicles. Legal certainty discourages carriers from running overlength configurations unlawfully, deterring unsafe operations and reducing safety risks. By ensuring compliance, the rule helps prevent wear, collisions and related costs.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

None.

AMEND: 734-073-0051

RULE TITLE: Definitions

RULE SUMMARY: Cleaning up definitions to match federal definitions to ensure consistency in size and weight enforcement.

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. "Automobile transporter" does not include standard "high-mount" tractor-semitrailer combinations, in which a tractor cannot haul cargo above the cab or on its chassis.
- (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, with a power unit that includes 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, with a power unit that includes a framework or other assembly that provides the ability to also transport boats.
- (13) "Truck-tractor semitrailer-semitrailer" 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 184.619, 810.050, 810.060, 818.200

STATUTES/OTHER IMPLEMENTED: ORS 818.030, 818.200, 818.220