

Motor Carrier Transportation Advisory Committee

Commerce and Compliance Division
Oregon Department of Transportation
Thursday, January 16, 2025

Housekeeping

- We are in a hybrid format.
- Today's presentation is being recorded.
- Please introduce yourself and with whom you are associated before speaking.
- We will pause throughout the presentation to allow time for questions.

If you are on Teams ...

- Please mute your microphone in the Teams application if you are using the application as your visual and calling in via phone for your audio.
- Turn down your desktop sound as well.
- Please use the “raise hand” function in Teams to signify you want to speak.

MCTAC Summary Notes – October 17, 2024

Attendees: Members – Carla Phelps (ODOT-CCD), Mark Gibson (OTA), Donny Callahan (OTTA), Andy Eno (FMCSA), Diane DeAutremont (Lile International), Jon Golly (AOL); Kristan Mitchell (ORRA); Support – Jason Lawrence (ODOT-CCD)

Presenters and Guests – Margaret Geer (ODOT-DMV), Jeff Sanders (ODOT-DMV), Sven Johnson (ODOT-CCD), Elisha Brackett (ODOT-CCD), Jenny Galvin (ODOT-CCD), Nick Hopper (ODOT-CCD), Michelle Bowlin (ODOT-CCD), Rick Reznicek (DEQ), David Glomski (DEQ)

Previous meeting's minutes approved.

JCT Road Show and 2025 Legislative Session – Carla Phelps, Administrator, CCD: Carla provided a recap of the Joint Transportation Committee's legislative road show across the state, sharing insights from visits and highlighting the goals of the tour, what information ODOT shared and what legislators were able to take away from the experience. Also covered the next steps for JCT in the interim between now and the start of the legislative session, including the Committee's ongoing work groups with key stakeholders. Finally, we looked ahead to the upcoming 2025 legislative session and the bill concepts put forward by CCD (see notes in the slide deck).

Iowa and IRP Fees – Nick Hopper, Commercial Vehicle Licensing Services Branch Manager, CCD: Nick walked us through the problems that have arisen with IRP fees in Iowa. For some carriers, IRP fees were underreported and underpaid due to unexpected errors following module updates in 2022. Nick gave us an overview of the issue, the impact on carriers and steps ahead.

Flat Fee Study – Sven Johnson, Tax Program Analyst, CCD: Sven provided an update on ODOT's work studying flat fees. The primary research question is to see if flat fees are revenue neutral with weight-mile tax. Results found that sand and gravel carriers are significantly underpaying while log haulers are slightly overpaying (see slide deck). ODOT has requested OTC to recommend appropriate adjustments to flat fees.

Drug and Alcohol Clearinghouse Updates – Andy Eno, Administrator, FMCSA & Margaret Geer, CDL Programs Lead, Oregon DMV: Andy walked us through updates following two final rule requirements and the associated changes with DACH procedures (see slide deck).

HB 2007 Retrofit Compliance Update – Jeff Sanders, Legislative Analyst, DMV: Jeff joined us to give an overview of the upcoming requirements from HB 2007 (2019) that have new titling requirements for truck owners in Multnomah, Washington and Clackamas counties. In short, some trucks will now only be able to have new titles issued if they have completed a retrofit or been approved for an exemption (see slides for impacted vehicles).

Agenda build discussion. Close of meeting.

Motor Carrier Transportation Advisory Committee (MCTAC) Agenda

Thursday, January 16, 2025 | 9 am to 10:30 am

Meeting Materials: <https://www.oregon.gov/odot/MCT/Pages/MCTAC.aspx>

Click here to join the meeting Audio only: +1 971-277-1965,,339809420#



Time		Topic		Action	Lead
9:00-9:05	5 min	01	Welcome and Housekeeping	Discussion	Jason Lawrence
		<ul style="list-style-type: none"> Welcome, housekeeping, etc. Review and approve previous meeting summary Overview of today's agenda 			
9:05-9:15	10 min	02	DMV Update	Information	Ben Kahn
		<ul style="list-style-type: none"> Presentation on the technology innovations DMV is implementing. 			
9:15-9:20	5 min	03	Oregon Administrative Rule Updates	Information	Jason Lawrence
		<ul style="list-style-type: none"> Annual adoption of IFTA, IRP and FMCSRs Changing "accident" to "collision" in Chapters 734 and 740 Cleaning up language in Chapter 740 regarding card payments 			
9:20-9:35	15 min	04	Looking Ahead to Legislative Session	Information and Discussion	Justin Hauschild
		<ul style="list-style-type: none"> ODOT Government Relations will join us for a look ahead to session starting next week. 			
9:35-9:50	15 min	05	Winter Safety and Chain Compliance	Information	Leah Cisneros
		<ul style="list-style-type: none"> Compliance stats to date, general trends from previous years, etc. 			
9:50-10:05	15 min	06	ORION Update	Information	Nick Hopper
		<ul style="list-style-type: none"> Update on the ORION project as we near the May launch. 			
10:05-10:15	10 min	07	MCSAP Partnerships with OSP and Law Enforcement	Information	Jess Brown
		<ul style="list-style-type: none"> Overview of our efforts to get OSP and local law enforcement more involved in roadside inspections and CMV enforcement 			
10:15-10:30	15 min	08	Regional Enforcement Operations with FMCSA	Information	Jess Brown and Andy Eno
		<ul style="list-style-type: none"> FMCSA joins us to talk about fall's joint I-5 operation with WA and other regional efforts led by federal partners. 			
10:30-10:35	5 min	09	Quick TOL Enhancement Update	Information	Elisha Brackett
		<ul style="list-style-type: none"> Update on new account creation feature on TOL 			
Close		10	Agenda Build and Close	Discussion	All
Next Meeting: Thursday, April 17, 2025 9:00am-10:30 am					



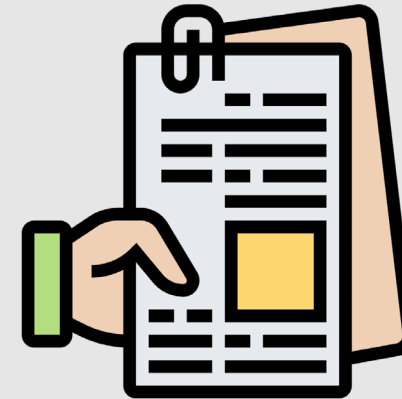
DMV Updates

Ben Kahn, DMV Innovation and Planning Manager

Andrew Keck, DMV Organizational Change Analyst

Exclusively Electronic Exchange (EEE)

- EEE is a federal rule mandating CDL Driver History Records (DHR) between states be transferred digitally through the Commercial Driver's License Information System (CDLIS).
- All CDL driver records must be transmitted through CDLIS.
 - Includes the posting, negating, or clearance of **convictions, withdrawals and disqualifications.**
- The purpose is to increase efficiency and timeliness in enforcement duties of state licensing agencies.
- Went live on Aug. 19, 2024.



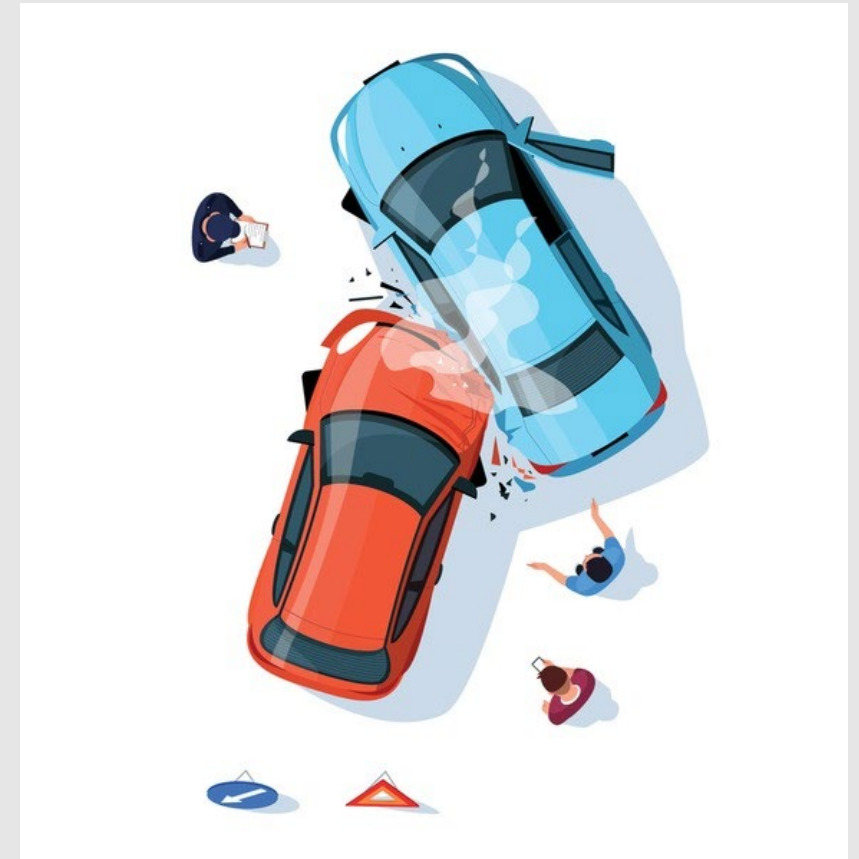
Drug and Alcohol Clearinghouse (DACH)

- A secure online database that provides access to information regarding violations of the U.S. Department of Transportation's controlled substances and alcohol testing program for CDL/CLP holders.
- A federal rule with a deadline of Nov. 18, 2024, requires state licensing agencies to enforce DACH status through cancellations of CDL/CLP credentials.
- As of Nov. 14, DMV is:
 - checking DACH prior to issuing any CDL or CLP for prohibited status to disqualify drivers from operating commercial motor vehicles.
 - canceling active CDL's or CLP's if the Clearinghouse indicates a driver has a prohibited status.



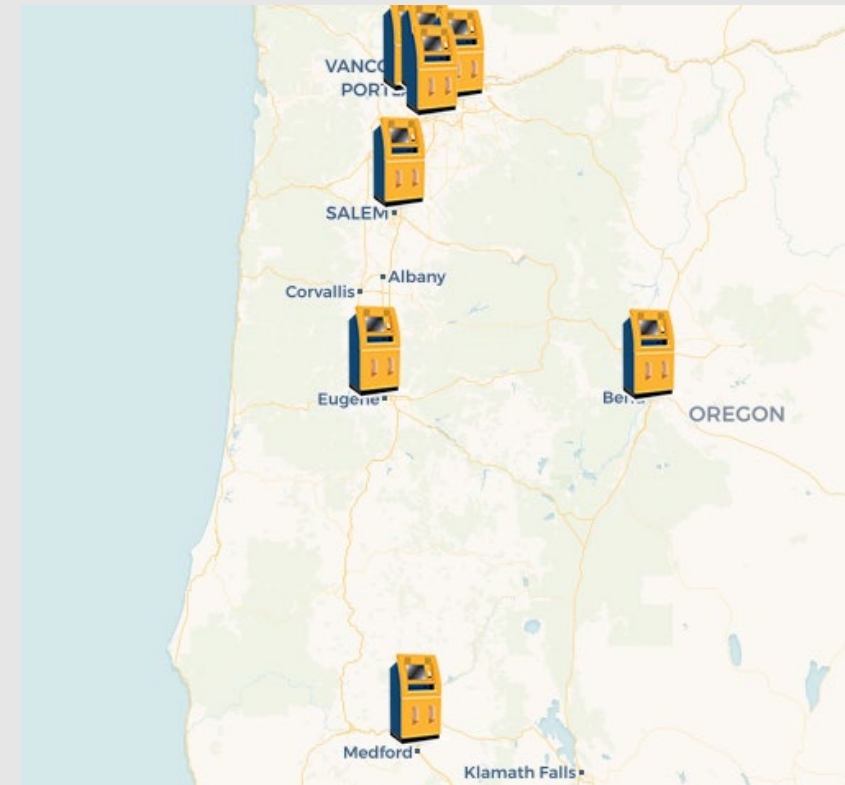
Online Collision Reporting

- The DMV2U Online Collision Report provides a service for a customer to enter and submit a Collision Report from an electronic device.
- To be eligible to use the online service, the customer must be a driver involved in the collision and have an Oregon License, Permit or ID number.
- Customers who are ineligible to use the online service will be directed to use the paper collision report form.
- The paper collision report form will still be available.
- Coming Spring 2025.



DMV Self-Service Kiosks

- 10 initial locations at Fred Meyer stores across different metro areas in Oregon beginning Jan. 16.
- Initial transaction available is vehicle registration renewal, more transactions to come later.
- All accept debit/credit, five will also accept cash.
- Services offered in English and Spanish, and the kiosks meet ADA requirements.
- The first three kiosks were installed in December 2024. More than 165 completed transactions.
- Customers can use an interactive map at ODOTkiosk.oregon.gov to find available kiosks.



Questions or Comments?

Thank you!



Oregon Administrative Rule Updates

Jason Lawrence, CCD Legislative and Rules Coordinator

Changing “accident” to “collision” in Chapters 734 and 740

- SB 1574 (2024) changed language in ORS from “*accident*” to “**collision**”.
- Amendments in 734 and 740 simply mirror this change.

Federal Safety Regulations, OAR Chapter 740

- Simply changes all “2024” to “**2025**”:
 - 740-100-0010, Adoption of Federal Safety Regulations
 - 740-100-0070, North American Standard Vehicle Out-of-Service Criteria
 - 740-100-0080, North American Standard Hazardous Material Out-of-Service Criteria
 - 740-100-0085, North American Standard Out-of-Service Criteria for Commercial Highway Vehicles Transporting Transuranics and Highway Route Controlled Quantities of Radioactive Materials
 - 740-100-0090, North American Standard Driver Out-of-Service Criteria
 - 740-100-0100, Maximum Fine Schedule
 - 740-110-0010, Adoption of United States Department of Transportation Hazardous Materials Regulations

IFTA, IRP and HVUT, OAR Chapter 740

- 740-200-0010, IRP
 - Changes “2024” to “2025”.
- 740-200-0040, IFTA
 - Changes “2024” to “2025”.
- 740-200-0020, HVUT
 - Changes “2024” to “2025”.
- IRP reporting period, 740-200-0010 (3):
 - The mileage reporting period [*for application and renewal purposes will be the previous July through June twelve-month period*] **is the period of twelve consecutive months immediately prior to July 1 of the calendar year immediately preceding the beginning of the Registration Year for which prorate registration is sought. If the Registration Year begins on any date in July, August or September, the Reporting Period shall be the previous such twelve-month period.**

CCD Payments and Fees, OAR 740-015-0080

- 740-015-0080 amended to include language on surcharges and fees reflecting statute and current business practice:
 - (4) CCD may impose a surcharge to offset administrative fees charged to the department for acceptance and use of card payments, as granted under ORS 802.112.
 - (5) If for any reason the department does not receive payment from the issuer of the card, the department may impose additional fees for the payment of money under ORS 30.701, along with any additional actions as specified under ORS 802.170.

CCD Payments and Fees, OAR 740-055-0020

- 740-055-0020 amended to include debit cards and ACH payments reflecting current business practice.

CCD Payments and Fees, OAR 740-055-0020

- 740-055-0020(1):
 - (d) Credit card [under the conditions described in ORS 825.502;] or debit card under the conditions described in OAR 740-015-0080.
 - (h) Personal or business check [*from an agent described in subsection (1)*] ;or
 - (i) [*Personal check when drawn in the name of a company employee*] Payment through an Automated Clearing House;
- 740-055-0020(2)(d): Credit card [*under the conditions described in ORS 825.502*] or debit card under the conditions described in OAR 740-015-0080;

CCD Payments and Fees, OAR 740-055-0020

- 740-055-0020(4): In the event any check drawn payable to the Department for payment of taxes or fees is not honored, the motor carrier account for which the check was drawn will be assessed the maximum service charge authorized by ORS 30.701(5) for each such check and the motor carrier account for which the check was drawn may thereafter be required to remit taxes or fees **by credit card or debit card under the conditions described in OAR 740-015-0080,** money order, bank draft, certified check, or cash.

Questions or Comments?

Thank you!



Looking ahead: 2025 Legislative Session

Justin Hauschild, ODOT Government Relations

Questions or Comments?

Thank you!



Winter Safety: Chain Compliance

Leah Cisneros, CCD Investigations and Compliance Manager

How do we approach chain compliance?

- Compliance through education.
 - Chain wallet card
 - Advisory letter
 - Level 1 Notice



Looking at the Numbers

Season	Enforcement Totals
2021-22	1,241
2022-23	1,137
2023-24	2,006
2024-25	642*

*Total citations/warnings as of December 31, 2024

Note: Does not include data from law enforcement partners.

Observations and Takeaways

Season	Level 1 Cases	Level 2 Cases	Level 3 Cases
2021-22	98	NA	NA
2022-23	104	19	NA
2023-24	191	26	17
2024-25	42	10	11

Questions or Comments?

Thank you!



ORION Update

ORION

Nick Hopper, CCD Commercial Vehicle Licensing Services Branch Manager

Over-Dimension Permit System Replacement



ORION will replace the existing system to meet increasing OS/OW permit demand, complexity, and improve service levels

Anticipated Benefits:

- Improved turnaround time
- Streamlined permit process
- Improved data collection and availability
- Increased safety and compliance
- Reduced risk to the infrastructure
- System available 24/7, 365 days/yr
- More time for all of us to focus on complex requests



000519 OREGON DEPARTMENT OF TRANSPORTATION
SELF-ISSUE OVERSIZE PERMIT

CARRY THIS PERMIT WITH YOU AT ALL TIMES

Permit No: STP935985

Location: TOL

Permittee: (Name and Address)
OREGON TEST ACCOUNT
340 NE 11TH AVE
PORTLAND

Load Length: 50'00" Width: 10'00"

Legal Weight Table 1

Description of

Year Make
2002 PTRB

From: OR/WA BORDER AT 1
To: salem (3630 fairview -
Via: i-205; i-5, take exit 25a
industrial).

Pilot Vehicles:
2 Lane None (X) Front () Rear ()
4 Lane None (X) Front () Rear () Rider ()

This permit is not valid without the following required
82A, H, PWT-1

TRAILER LENGTH: 50
TRAILER TYPE: fixed

***** SELF-ISSUE PROVISION INFO *****
no pilot vehicles required.
no additional road restrictions required.
no other special provisions.

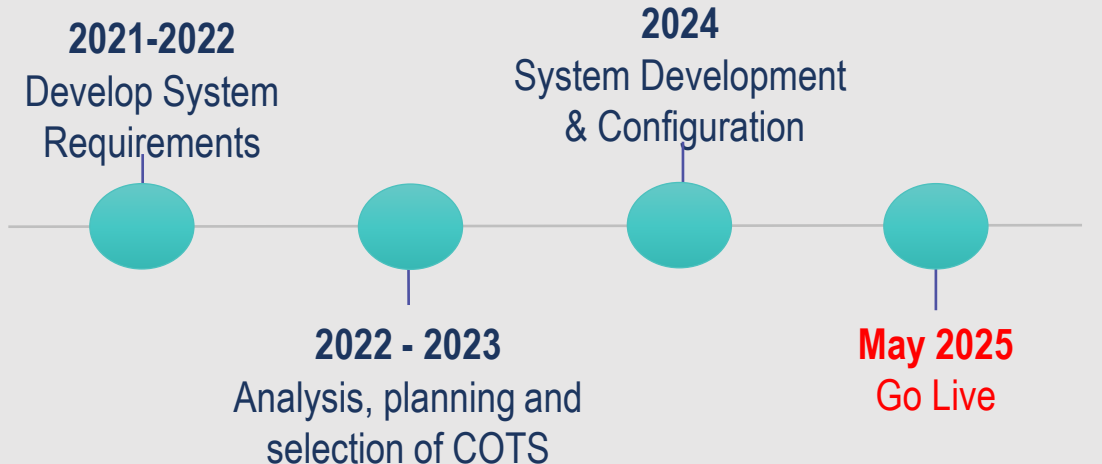
This permit is not valid before issue date and issue time or the effective date, whichever is later. Issue time reflects Pacific Time Zone.

OREGON TAX AND REGISTRATION: Permittee is required to meet all Oregon tax and registration requirements unless exempted by statute or rule.

Page 1 of 2

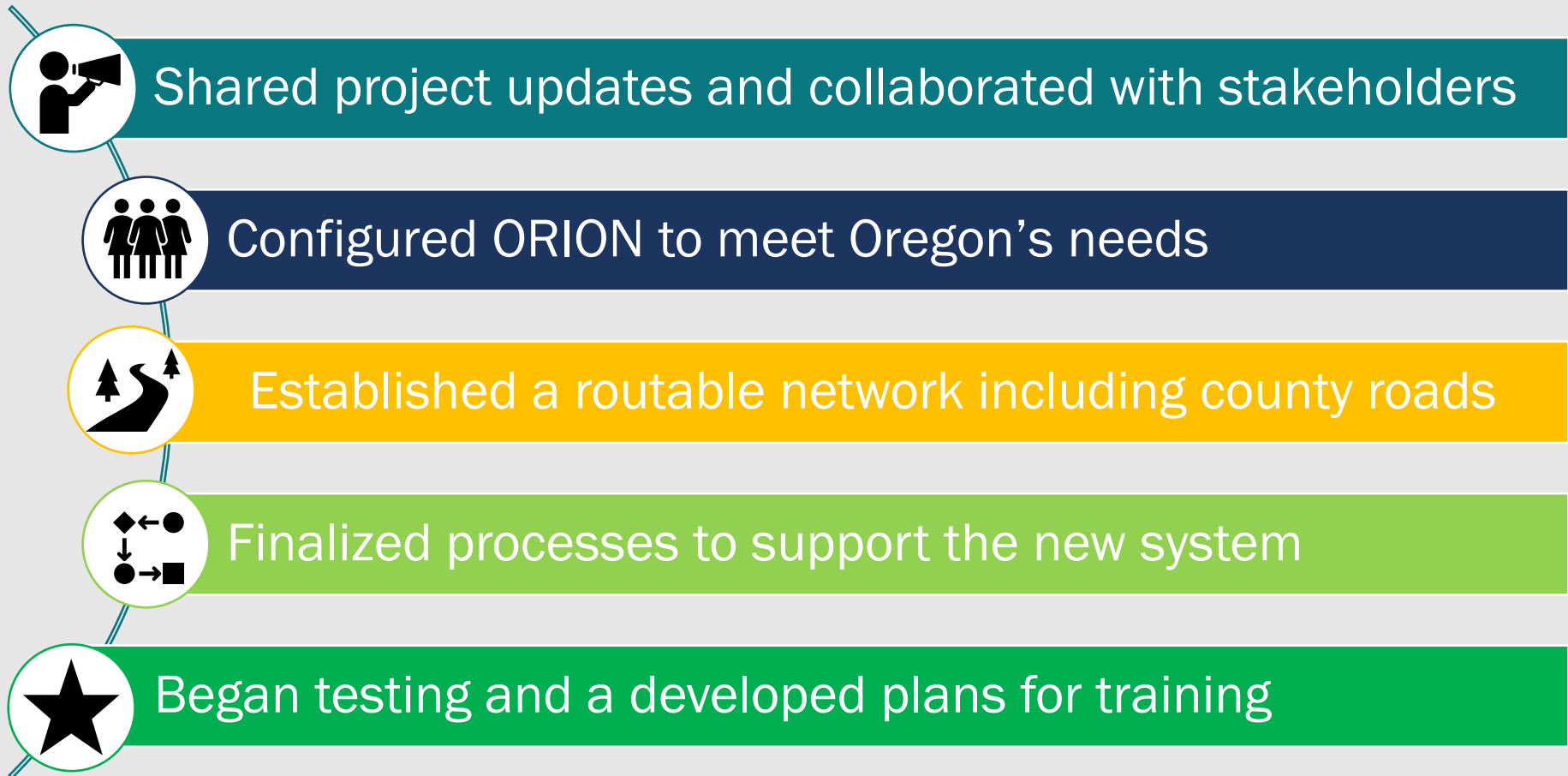
Oregon Department of Transportation
Route Map 2
Transportation Permit Unit

DETOUR
OVER WEIGHT
LOAD
←



ORION: 2024 Accomplishments

ORION



What's happening now (Q1 2025)

ORION

- Final Acceptance Testing
- Training
- Soft Launch in mid-February
- Continued stakeholder engagement



Automated Routing | SAFETY IN ACTION

ORION

Anticipated enhancements:

- Electronic maps
- Turn-by-turn directions
- Customized permit provisions
- Restriction notifications
- Federal Out-of-Service Validations
- Auto-issuance of routine permits



Questions or Comments?

Thank you!

MCSAP Partnerships with Law Enforcement

Jess Brown, CCD Enforcement and Safety Compliance Branch Manager

Current MCSAP Partners

- We currently have ten (10) compensated MCSAP partners:
 - OSP
 - Coburg Police
 - Clackamas County Sheriffs
 - Molalla Police
 - Multnomah County Sheriffs
 - Portland Police
 - Washington County Sheriffs
 - Deschutes County Sheriffs
 - Talent Police
 - Hubbard Police



MCSAP Partners

- We also have four (4) non-compensated partners.
 - Marion County Sheriffs
 - Milwaukie Police
 - Yamhill County Sheriffs
 - Salem Police



Future Partners?

- Discussions have been ongoing with Eugene Police to join in 2025.
 - One Eugene officer had started training but was promoted to different position.
- We are looking for other partners to join us across the state.



Questions or Comments?

Thank you!

Regional Enforcement Operations with FMCSA

Jess Brown, CCD Enforcement and Safety Compliance Branch Manager
Andy Eno, Division Administrator, FMCSA

Western States Working Together

- We are looking for opportunities with fellow Western states.
 - CA noncommittal
 - Talking with NV, WY, MT, WA and ID about possible joint operations.
 - Data capture and sharing.
- Commanders Meeting in Texas in February
 - Russ Russell will represent CCD



The image shows the entrance of the United States Department of Transportation building. The entrance is a large, curved structure with a glass facade and a prominent archway. The archway is supported by several large, grey columns. The text "UNITED STATES DEPARTMENT OF TRANSPORTATION" is displayed in large, white, capital letters along the top of the archway. The building's facade is made of light-colored stone or concrete blocks. The sky is blue with some light clouds. The overall scene is a professional, high-quality photograph of a government building.

UNITED STATES
DEPARTMENT OF TRANSPORTATION

I-70 Hotshot Inspection Event

FMCSA
Oregon Division

I-70 Hotshot Inspection Event

FMCSA, in collaboration with state partners from Utah, Colorado, Kansas, Missouri, Illinois, Indiana, Ohio, and Pennsylvania, conducted a targeted operation along the I-70 corridor to address safety concerns related to hotshot carriers.

Preliminary Results

55% Vehicle Out of Service Rate

33% Driver Out of Service Rate



Questions or Comments?

Thank you!

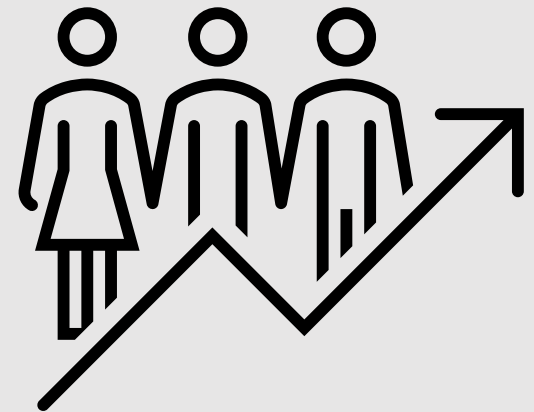


TOL Enhancement Update

Elisha Brackett, CCD Business Operations Branch Manager

New TOL Account Creation Feature

- Streamlining the account creation process.
- Will allow new users to create a password and a security question when signing up for an account.
- New users will also get immediate access to TOL.
 - This means they can immediately purchase temporary passes!
- Status:
 - User testing in process.
 - Ready to launch to the public the first week of February.



Questions or Comments?

Thank you!

Agenda Build for April 2025

What items would you like CCD to consider for upcoming agendas?

Additional Resources & Information

- [Oregon Transportation Plan](#)
- [Oregon Transportation Commission](#)
- [Oregon Freight Advisory Committee](#)
- [Urban Mobility Office](#)
- [Equity and Mobility Advisory Committee](#)
- [Oregon Safety Transportation Plan](#)

For questions or comments
about MCTAC meetings, please
email:

MCTACContacts@odot.Oregon.gov

Text to be added
[text to be deleted]

740-200-0010

Annual adoption of Prorate Registration

(1) The provisions contained in the “International Registration Plan” (IRP), the IRP Audit Procedures Manual and all amendments thereto in effect January 1, 202[4]5, are hereby adopted and prescribed by the Oregon Department of Transportation and apply to the apportioned registration of vehicles. Unless otherwise revised by written delegation, the designated person to cast a vote on an IRP ballot for Oregon is the Administrator of the Commerce and Compliance Division.

(2) In addition to the requirements described in section (1) of this rule, the following requirements apply to Oregon-based motor carriers who participate in IRP:

(a) Records required to be maintained for distance data must denote intermediate trip stops;

(b) Audit assessments are subject to penalty and late payment charges described in IRP and the IRP Audit Procedures Manual;

(c) Any person against whom a proposed assessment is made by the Department may petition the Department for reassessment within 30 days after service upon the person of the assessment notice. If a petition for reassessment is not filed within the 30-day period, the assessment becomes final. If a petition for reassessment is timely filed, the Department will reconsider the assessment. The decision of the Department upon a petition for reassessment will become final 30 days after notice of the decision is served upon the petitioner. A petitioner may submit a request for hearing in the petition for reassessment; and

(d) If a request for hearing is timely received, a hearing will be scheduled and conducted in accordance with the provisions of ORS Chapter 183. The petitioner will be provided a minimum of 10 days’ notice of the time and place of the hearing. The Department may assess a penalty of \$150 for failure to appear at a scheduled hearing.

(3) The mileage reporting period *[for application and renewal purposes will be the previous July through June twelve-month period]* **is the period of twelve consecutive months immediately prior to July 1 of the calendar year immediately preceding the beginning of the Registration Year for which prorate registration is sought. If the Registration Year begins on any date in July, August or September, the Reporting Period shall be the previous such twelve-month period.**

Statutory/Other Authority: ORS 184.619, 823.011 & 826.003

Statutes/Other Implemented: ORS 826.005 & 826.007

History:

MCTD 5-2021, amend filed 11/23/2021, effective 11/23/2021

MCTD 1-2021, amend filed 01/28/2021, effective 01/28/2021

MCTD 24-2020, minor correction filed 05/08/2020, effective 05/08/2020

MCTD 3-2020, amend filed 04/03/2020, effective 04/03/2020

MCTD 3-2018, amend filed 12/07/2018, effective 01/01/2019

MCTD 1-2018, amend filed 02/16/2018, effective 02/16/2018

MCTD 2-2017, f. & cert. ef. 3-7-17
MCTD 1-2017, f. & cert. ef. 2-22-17
MCTD 2-2016, f. & cert. ef. 7-27-16
MCTD 2-2015, f. & cert. ef. 5-26-15
MCTD 7-2013, f. 12-20-13, cert. ef. 1-1-14
MCTD 1-2013, f. & cert. ef. 1-17-13
MCTD 6-2012, f. & cert. ef. 7-19-12
MCTD 1-2011, f. & cert. ef. 2-18-11
MCTD 2-2008, f. 6-23-08, cert. ef. 7-1-08
MCTD 4-2004, f. 12-28-04, cert. ef. 1-1-05
MCTD 8-2003, f. & cert. ef. 11-18-03, cert. ef. 1-1-04
MCTB 6-2002, f. & cert. ef. 11-18-02
MCT 3-1996, f. & cert. ef. 3-14-96, Renumbered from 860-081-0005
PUC 7-1993, f. & cert. ef. 3-19-93, (Order No. 93-285)
PUC 8-1990, f. & cert. ef. 5-25-90, (Order No. 90-834)

740-200-0040**Adoption of International Fuel Tax Agreement**

(1) The provisions contained in the International Fuel Tax Agreement (IFTA) Articles of Agreement, the IFTA Audit Manual and the IFTA Procedures Manual, and all amendments thereto in effect January 1, 202[4]5, are hereby adopted and prescribed by the Oregon Department of Transportation (ODOT) and apply to Oregon-based motor carriers who participate in IFTA.

(2) In addition to the requirements described in section (1) of this rule, the following requirements apply to Oregon-based motor carriers who participate in IFTA:

(a) Records required to be maintained for distance data must denote intermediate trip stops;

(b) Records of monthly over the road and bulk fuel reconciliations must be maintained;

(c) The Department will assess a penalty of \$50 or 10 percent of the amount of delinquent taxes due, whichever is greater, for failing to file a return, filing a late return, or underpaying taxes due on a return;

(d) The Department will assess a penalty of 10 percent of the amount of delinquent taxes due, for additional assessments as the result of an audit;

(e) Any person against whom a proposed assessment is made by the Department may petition the Department for reassessment within 30 days after service upon the person of the assessment notice. If a petition for reassessment is not filed within the 30-day period, the assessment becomes final. If a petition for reassessment is timely filed, the Department will reconsider the assessment. The decision of the Department upon a petition for reassessment will become final 30 days after notice of the decision is served to the petitioner. A petitioner may submit a request for hearing in the petition for reassessment;

(f) If a request for hearing is timely received, a hearing will be scheduled and conducted in accordance with the provisions of ORS Chapter 183. The petitioner will be provided a minimum of 10 days' notice of the time and place of the hearing; and

(g) An amendment may be made to, or audit conducted of, a tax return not more than four (4) years from the date the taxes or fees were filed.

Statutory/Other Authority: ORS 184.619 & 823.011

Statutes/Other Implemented: ORS 825.490, 825.494 & 825.555

History:

MCTD 5-2021, amend filed 11/23/2021, effective 11/23/2021

MCTD 1-2021, amend filed 01/28/2021, effective 01/28/2021

MCTD 3-2020, amend filed 04/03/2020, effective 04/03/2020

MCTD 3-2018, amend filed 12/07/2018, effective 01/01/2019

MCTD 1-2018, amend filed 02/16/2018, effective 02/16/2018

MCTD 2-2017, f. & cert. ef. 3-7-17
MCTD 1-2017, f. & cert. ef. 2-22-17
MCTD 2-2016, f. & cert. ef. 7-27-16
MCTD 2-2015, f. & cert. ef. 5-26-15
MCTD 8-2014, f. & cert. ef. 9-22-14
MCTD 7-2013, f. 12-20-13, cert. ef. 1-1-14
MCTD 1-2013, f. & cert. ef. 1-17-13
MCTD 2-2012, f. & cert. ef. 2-21-12
MCTD 1-2011, f. & cert. ef. 2-18-11
MCTD 4-2009, f. 12-22-09, cert. ef. 1-1-10
MCTD 2-2008, f. 6-23-08, cert. ef. 7-1-08
MCTD 4-2004, f. 12-28-04, cert. ef. 1-1-05
MCTD 8-2003, f. 11-18-03, cert. ef. 1-1-04
MCTB 6-2002, f. & cert. ef. 11-18-02

740-200-0020

Adoption of Federal Rules Governing Payment of Heavy Vehicle Use Tax (HVUT)

The Department hereby adopts the rules of the United States Internal Revenue Service contained in 26 CFR Part 41 (Excise Tax on Use of Certain Highway Motor Vehicles) and all amendments thereto in effect January 1, 202[4]5. These rules apply to carriers conducting operations subject to ORS Chapter 826. As provided in CFR Title 26 Part 41.6001-2(b)(3), the Department will suspend the registration of a vehicle for which proof of HVUT payment has not been received within four months of the effective date of registration.

[Note: The Code of Federal Regulations Title 26 Part 41.6001-2(b)(3) (Proof of payment for State registration purposes) referenced above is available at the Commerce and Compliance Division, Salem, Oregon.]

Statutory/Other Authority: ORS 184.619, 823.011 & 826.003

Statutes/Other Implemented: ORS 803.370(5) & 826.007

History:

MCTD 5-2021, amend filed 11/23/2021, effective 11/23/2021

MCTD 1-2021, amend filed 01/28/2021, effective 01/28/2021

MCTD 25-2020, minor correction filed 05/08/2020, effective 05/08/2020

MCTD 3-2020, amend filed 04/03/2020, effective 04/03/2020

MCTD 3-2018, amend filed 12/07/2018, effective 01/01/2019

MCTD 1-2018, amend filed 02/16/2018, effective 02/16/2018

MCTD 2-2017, f. & cert. ef. 3-7-17

MCTD 1-2017, f. & cert. ef. 2-22-17

MCTD 2-2016, f. & cert. ef. 7-27-16

MCTD 2-2015, f. & cert. ef. 5-26-15

MCTD 7-2013, f. 12-20-13, cert. ef. 1-1-14

MCTD 1-2013, f. & cert. ef. 1-17-13

MCTD 2-2012, f. & cert. ef. 2-21-12

MCTD 1-2011, f. & cert. ef. 2-18-11

MCTD 2-2008, f. 6-23-08, cert. ef. 7-1-08

MCTD 4-2004, f. 12-28-04, cert. ef. 1-1-05

MCTD 8-2003, f. & cert. ef. 11-18-03, cert. ef. 1-1-04

MCTB 6-2002, f. & cert. ef. 11-18-02

MCT 3-1996, f. & cert. ef. 3-14-96, Renumbered from 860-081-0015

PUC 7-1993, f. & cert. ef. 3-19-93, (Order No. 93-285)

PUC 19-1990, f. & cert. ef. 12-31-90, (Order No. 90-1919)

740-015-0080

Payment of Fees; Use of Credit Cards; Debit Cards

(1) If an electronic transaction requires the payment of taxes or fees to CCD, payment of those taxes or fees within the electronic transaction shall be:

(a) Payment by credit card or debit card approved by CCD as designated on an authorized system;

(b) Payment through an Automated Clearing House; or

(c) Charged to a motor carrier's account upon prior approval by CCD.

(2) All payments shall be made in US funds.

(3) To pay required fees to CCD by credit card or debit card within an electronic transaction, a motor carrier shall be required to submit the following information to CCD:

(a) Credit cardholder or debit cardholder name and billing address, including city, state, and zip code;

(b) Credit cardholder or debit cardholder phone number and e-mail address;

(c) Credit card or debit card number;

(d) Expiration date of the credit card or debit card;

(e) Card Verification Value (CVV) from the back of the debit or credit card;

(f) Motor carrier name and address, including city, state (or province), and zip code; and

(g) Motor carrier phone number and e-mail address.

(4) CCD may impose a surcharge to offset administrative fees charged to the department for acceptance and use of card payments, as granted under ORS 802.112.

(5) If for any reason the department does not receive payment from the issuer of the card, the department may impose additional fees for the payment of money under ORS 30.701, along with any additional actions as specified under ORS 802.170.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.012, **802.112, 802.170**, 825.502
STATUTES/OTHER IMPLEMENTED: ORS 825.490, 825.502

740-055-0020

Payment of Fees and Refunds

(1) Carriers registered with the Oregon Department of Transportation, or their agents as established either through an approved Power of Attorney or prior remittance of taxes or fees on behalf of the carrier, shall pay taxes and fees by either:

- (a) Cash;
- (b) Bank Draft;
- (c) Guaranteed Draft;
- (d) Credit card **or debit card under the conditions described in OAR 740-015-0080.** *[, under the conditions described in ORS 825.502;]*
- (e) Cashier's Check;
- (f) Travelers Check;
- (g) Company check when drawn in the name of record of the account to which it is to be applied;
- (h) Personal or business check; **or** *[from an agent described in subsection (1);*
- (i) **Payment through an Automated Clearing House.** *[Personal check when drawn in the name of a company employee;*
- (j) *Personal check from a corporate officer; or*
- (k) *Personal check when drawn in the name of a lessor driver when accompanied by a copy of the lease.]*

(2) Carriers not registered with the Oregon Department of Transportation shall pay fees and taxes due by either:

- (a) Cash;
- (b) Bank Draft;
- (c) Guaranteed Draft;

(d) Credit card **or debit card under the conditions described in OAR 740-015-0080.** *[under the conditions described in ORS 825.502];*

(e) Cashier's Check; or

(f) Travelers Check.

(3) All payments to the Oregon Department of Transportation for taxes and fees shall be in United States funds.

(4) In the event any check drawn payable to the Department for payment of taxes or fees is not honored, the motor carrier account for which the check was drawn will be assessed the maximum service charge authorized by ORS 30.701(5) for each such check and the motor carrier account for which the check was drawn may thereafter be required to remit taxes or fees by **credit card or debit card under the conditions described in OAR 740-015-0080,** money order, bank draft, certified check, or cash.

(5) The Department will not issue a refund by cash to a motor carrier. The Department will not issue a refund by check to a motor carrier unless the dollar amount is equal to or greater than \$100.00.

(6) The Department will only issue a check for less than \$100.00 after a motor carrier's account has been audited and closed.

STATUTORY/OTHER AUTHORITY: ORS 184.616, 184.619, 823.011 & 825.502

STATUTES/OTHER IMPLEMENTED: ORS 30.701, 825.498 & 825.502

734-070-0020

Test Run and Exception

In order to determine whether or not a vehicle or combination of vehicles is approved to traverse a length-restricted highway, or section(s) thereof, the Department, upon request from an interested party, will conduct an evaluation of the proposed operation. The evaluation will include research of Department files to determine whether or not a previous test run for the proposed operation has been conducted. If Department records indicate that a previous test run has been conducted for the length of combination requested, and there have been no improvements to the highway since the previous test run, results of the previous test run will be used. If there have been no previous test runs for the proposed operation, the Department will coordinate with the requesting party and conduct a test run and evaluation as follows:

(1) The test run vehicle(s) will be provided by the requesting party and be equal to or greater in length than the vehicle(s) in the proposed operation.

(2) The Department will issue a single trip variance permit for the test run vehicle(s).

(3) During the test run, Department staff will precede and follow the test vehicle(s) to observe vehicle operability and gather data used by the Department to determine if:

(a) The vehicle(s) maintained its lane of travel;

(b) The vehicle's steering axle crossed the center line and the rear axle crossed the fog line at the same time. If so, how many times and at what locations; and

(c) The vehicle either maintained the appropriate highway speed, or there was adequate sight distance for trailing vehicles to pass the test vehicle(s), or there was enough room for the test vehicle(s) to pull off the roadway to allow trailing traffic to pass.

(4) In addition to a review of the information listed in section (3), the test run evaluation will also consider:

(a) The average daily traffic flow on the highway;

(b) The [accident] **collision** rate on the highway;

(c) Pavement and shoulder conditions; and

(d) Any information from the District Manager regarding proposed improvements or any peculiarities associated with the highway.

(5) All information gathered in sections (3) and (4) is analyzed collectively by the Department to reach an initial determination concerning whether the highway or highway segment can safely accommodate greater vehicle length. For example: Information that the test vehicle does not always maintain its lane of travel may not necessarily result in a recommendation to deny a request; whereas if considered with information that the highway in question is heavily traveled, has deteriorating shoulders and has a history of many [accident] **collisions**, a reasonable recommendation would be to deny the request.

(6) If the evaluation results in an initial determination that the highway can safely accommodate the greater length, Department staff provides the evaluation and makes a recommendation of approval to the Chief Engineer, or the Chief Engineer's designee, the Administrator of the Commerce and Compliance Division (CCD). If the Chief Engineer or Administrator of CCD agrees with the recommendation, the Chief Engineer or Administrator of CCD will issue an authorization letter approving the proposal. A variance permit may be required for the approved operation.

(7) If the evaluation results in a recommendation to not allow the proposed operation, the requesting party or the Department may ask for further evaluation. The Chief Engineer will formulate a multi-discipline team to perform a detailed investigation of the proposed operation and provide further evaluation that may include:

(a) A more detailed analysis of average daily traffic, including traffic peak hours and volumes;

(b) Road and shoulder width;

(c) Review of the test run data, including any photographs or video tape;

(d) Truck volume compared to total traffic volume;

(e) Over-length truck volume compared to total traffic volume;

(f) Stopping sight distance for legal speed;

(g) Cost of spot improvements and facility improvements;

(h) [*accident*] **Collision** history for highway or other similar highways; and

(i) Potential risk of two trucks, or a truck and automobile, meeting in a tight spot.

(8) If additional investigation as described in section (7) indicates that the determination and recommendation made after the initial test run procedure is mitigated or modified after consideration of one or more of the additional factors, and the expert opinion of the multi-disciplined team results in a conclusion that the highway can safely accommodate the longer vehicle(s) and that the proposed operation can be conducted safely, the approval process described in section (6) will follow. If additional investigation results in a conclusion that the highway cannot safely accommodate the longer vehicle(s), no further evaluation will be conducted unless improvements are made to the highway and a subsequent request is made.

Statutory/Other Authority: 184.619, 810.060, 818.200

Statutes/Other Implemented: ORS 810.060, 818.220

734-073-0067

Procedure for Restricting Reasonable Access

- (1) Restricting reasonable access shall only be for reasons of safety and engineering analysis of the route.
- (2) The State, City, or County access review process shall include:
 - (a) An analysis of the proposed access route using observations or other data obtained from the operation of an authorized test vehicle over the route; or
 - (b) Analysis of the access route proposed by application of vehicle templates to plans of the route.
- (3) Denial of access to terminals and services shall be based only on safety and engineering analysis of the access route. Safety criteria include, but are not limited to, sight distance, horizontal and vertical curvature, safe passing opportunities, rail and utility crossings and *[accident]* **collision** data for the requested access.
- (4) Routes are automatically approved if not acted upon within 90 days of access review application.
- (5) Application shall be in the form and manner established by the road authority for access review.
- (6) Reasonable access is prohibited where signs prohibiting the access are posted. These signs shall be posted only when access review has been made and the Road Authority determines the access is denied.
- (7) Road Authorities may request technical assistance from the Department of Transportation to meet the requirements of this rule.

Statutory/Other Authority: ORS 184.616, 184.619, 810, 818

Statutes/Other Implemented: ORS 818.200, 818.220

734-075-0022

Driver Requirements

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 [accident] **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 184.616, 184.619, 810.060, 823.011

Statutes/Other Implemented: ORS 818.200, 818.220

734-076-0015

Definitions

For the purposes of Division 76, the following definitions apply:

- (1) "Business day" is any day Monday through Friday, except holidays as defined in section (10) of this rule.
- (2) "Business hours" means 7:00 a.m. to 5:00 p.m. Pacific Time, Monday through Friday, except state observed holidays or other times the Over-Dimension Permit Unit, as defined in section (10) of this rule, is not available.
- (3) "CCD" means the Commerce and Compliance Division of the Oregon Department of Transportation.
- (4) "Daylight hours" means one-half hour before sunrise until one-half hour after sunset.
- (5) "Disabled unit" means an inoperative or disabled vehicle or combination of vehicles being transported by a tow vehicle. This does not include a vehicle(s) that has been required to legalize for size or weight violations.
- (6) "Emergency" means the towing of a vehicle due to a motor vehicle [*accident*] **collision**, mechanical breakdown on a public roadway, or other emergency-related incident necessitating vehicle removal for public safety, with or without the owner's consent.
- (7) "Full log truck" means a motor vehicle having a minimum GVWR of 17,001 pounds and designed to transport a load of logs entirely on the motor vehicle.
- (8) "GVW" means combined gross vehicle loaded weight.
- (9) "Gross vehicle weight rating" or "GVWR" means the gross vehicle weight rating as defined in ORS 801.298.

(10) "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 the state officially observes these holidays by the closure of State offices.

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

(12) "Load recovery vehicles" are single-vehicles of legal size and weight, or a combination of vehicles consisting of a truck-tractor and semitrailer used to transport a disabled unit and/or its load.

(13) "Log truck" means a motor vehicle having a weight in excess of 17,000 pounds GVWR, designed and used in conjunction with a pole trailer to transport one load of logs where one end of the logs rests upon the log truck and one end of the logs rests upon the pole trailer.

(14) "Motor vehicle transporter" for the purposes of ORS 818.100(16) and (17) means a Class D tow vehicle that may only tow or transport disabled vehicles and that:

(a) Does not exceed 40 feet in length or 45 feet in length inclusive of a reach;

(b) Does not exceed 65 feet overall length in combination;

(c) Is equipped with a retractable reach; and

(d) May tow one additional vehicle.

(15) "Over-Dimension Permit Unit" means the Over-Dimension Permit Unit of the Oregon Department of Transportation, Commerce and Compliance Division.

(16) "Permit" means written authorization obtained from CCD or an authorized road authority issued to the towing vehicle defining specific transportation activity including, but not limited to size, weight, hours of operation, operational conditions and routes.

(17) "Pole trailer" means a trailer attached or secured to a vehicle and ordinarily used for transportation of long or irregular loads such as logs or poles capable of generally sustaining themselves as beams between the towing vehicle and the pole trailer.

(18) “Rotator Tow Vehicle” means a vehicle designed to be both a crane and a tow vehicle.

(19) “SHV” means Specialized Hauling Vehicle, legal vehicles with legal axle weights that meet the Bridge Gross Weight Formula for maximum axle group weight and represent short wheel-based vehicles with multiple drop axles. Rotator tow vehicles are considered to be SHVs. The Bridge Gross Weight Formula is adopted in OAR 734-073-0080 (1)(e).

(20) “Tow” means to pull a load or vehicle behind the towing vehicle.

(21) “Tow vehicle” is as defined in ORS 801.530. Tow vehicles are further designated as Class A, B, C and D in OAR 257-050-0200, Mandatory Equipment Standards for Tow Trucks/Safety Related Requirements. Copies of OAR 257-050-0200 are available from the Oregon State Police, 3565 Trelstad Ave SE, Salem, OR 97317 or the Over-Dimension Permit Unit of the Commerce and Compliance Division, 455 Airport Road SE, Building A, Salem OR 97301. In addition to the description of tow vehicle classes set forth in OAR 257-050-0200, tow vehicles are further described by class of design and for the following uses:

(a) “Class A” tow vehicles are motor vehicles with a minimum manufactured gross vehicle weight rating of 10,000 pounds or equivalent. Class A tow vehicles may be used for towing and recovery operations of a single vehicle of legal size and weight such as a passenger car, pickup truck, small trailer or equivalent vehicle and have a combined gross weight of 26,000 pounds or less including the weight of the tow vehicle;

(b) “Class B” tow vehicles are motor vehicles with a minimum manufactured gross vehicle weight rating of 17,000 pounds or equivalent. Class B tow vehicles may be used for towing and recovery operations of a single vehicle or combination of vehicles such as medium size trucks, trailers, motor homes or equivalent vehicle(s), including those vehicles initially operating under a transportation variance permit, and must have a combined gross vehicle weight of 80,000 pounds or less, not including the weight of the tow vehicle;

(c) “Class C” tow vehicles are motor vehicles with a minimum manufactured gross vehicle weight rating of 27,500 pounds or equivalent. Class C tow vehicles may be used for towing and recovery operations of a single vehicle or combination of vehicles such as large trucks, trailers, motor homes or equivalent vehicle(s), including those vehicles initially operating under a transportation variance permit, and may have a combined gross vehicle weight up to 98,000 pounds inclusive of the tow vehicle except when operating under a single trip permit issued to the tow vehicle. Class C tow vehicles must have tandem drive axles; and

(d) “Class D” tow vehicles (also known as roll backs) are motor vehicles that transport disabled units upon the tow vehicle, and may also tow a single vehicle of legal size using a crane, hoist, tow bar, tow line or dolly. All weights must comply with ORS 818.010. They are further identified into three sub-classes describing the design and use allowed if they also tow other vehicles appropriate to their class:

(A) “Class D-A” tow vehicles are motor vehicles with a minimum manufacturer’s gross vehicle weight rating of 11,000 pounds;

(B) “Class D-B” tow vehicles are motor vehicles with a minimum manufacturer’s gross vehicle weight rating of 17,000 pounds; and

(C) “Class D-C” tow vehicles are motor vehicles with a minimum manufacturer’s gross vehicle weight rating of 27,500 pounds. Class D-C tow vehicles must have a rear tandem axle. When towing off its’ underlift and not carrying a load on its’ deck, a “Class D-C tow vehicle is only considered “Class C” tow vehicle.

(22) “Towing vehicle” includes:

(a) A tow vehicle;

(b) A full log truck, either laden or unladen, used to tow another log truck or log truck pole trailer combination;

(c) A log truck, either unladen or with a pole trailer in the decked (bunked) position, used to tow another log truck or log truck pole trailer combination; and

(d) A rotator tow vehicle.

(23) “Transport” means to haul a load or vehicle entirely on the tow vehicle or recovery vehicle.

(24) “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 GVWR in excess of 15,000 pounds.

Statutory/Other Authority: ORS 184.619, 810.060, 823.011

Statutes/Other Implemented: ORS 818.170, 818.200, 818.210

734-076-0155

Maximum Dimensions for Continuous Trip Permit Operations

(1) Width: No disabled unit, including load, will exceed eight feet-six inches in width with the exception of:

(a) When initially operating under a permit authorizing a greater width issued to the disabled vehicle, the allowances granted and restrictions imposed by that permit will apply only to movement over highway routes described in the permit; or

(b) Where *[accident]* **collision** has resulted in a width greater than eight feet-six inches, but not exceeding 10 feet in width. In that event, during daylight hours the extreme width must be marked by red or fluorescent orange flags not less than 18 inches square visible to the front and rear, and during the hours of darkness the extreme width must be illuminated by clearance lights or markers as described in ORS Chapter 816.

(c) Rear View Mirrors — Towing vehicles or load recovery vehicles transporting overwidth units must be equipped with rear-view mirrors capable of affording the operator a view to the rear of the disabled unit or load. Such mirrors must be retracted to legal width when an overwidth disabled unit is not being transported.

(2) Length:

(a) Except as described in subsection (d) of this section, Class A, B, and C tow vehicles must not exceed 40 feet. Class D tow vehicles must not exceed 45 feet;

(b) When operating under a single-trip permit, rotator tow vehicles must not exceed 45 feet;

(c) The length of any towed vehicle must not exceed the length established by statute or rule unless authorized by a transportation permit issued in accordance with OAR Chapter 734 to the vehicle. Combination length of towed vehicles may be temporarily extended when towing provided the combination was of legal length prior to the incident;

(d) A log truck or full log truck “towing vehicle” must not exceed 40 feet in length. A log truck or full log truck “towing vehicle” must not tow a loaded log truck and pole trailer combination that exceeds the lengths established by OAR 734-071-0010; and

(e) When a Class B or C tow vehicle is using a towing device to tow another vehicle, the length of the tow vehicle and towing device must not exceed 55 feet in total length and the distance between the rear bumper of the towing vehicle and the front or foremost point of the towed vehicle must not exceed five feet.

(3) Height: No disabled unit, including load, may exceed 14 feet in height with the exception of:

(a) When initially operating under a permit issued in accordance with OAR Chapter 734 authorizing a greater height issued to the disabled vehicle, the allowances granted and restrictions imposed by that permit will apply only to movement over highway routes described in the permit; or

(b) A continuous trip permit may be issued for a combination height up to 14 feet six inches over specifically authorized routes.

Statutory/Other Authority: ORS 184.616, 184.619, 810.060, 823.011

Statutes/Other Implemented: ORS 818.200, 818.220

734-082-0070

General Permit Provisions

(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 [accident] **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 184.619, 810.060

Statutes/Other Implemented: ORS 818.200, 818.220

740-100-0020

Motor Carrier [Accident] Collision Notification and Reporting

(1) Definition of Reportable [accident] collision: The term "reportable [accident] collision" means an occurrence, involving a commercial motor vehicle operated on public highways by a motor carrier subject to the provisions of ORS Chapter 825, resulting in:

(a) Fatality: The death of a human being at the scene or within 30 days as a result of the [accident] collision;

(b) Injury: A person injured as a result of the [accident] collision, and transported from the scene for medical treatment; or

(c) Towaway: Vehicles disabled as a result of the [accident] collision, and towed from the scene, or assisted in order to proceed under their own power.

(2) Immediate Notification of Fatal [accident] collision:

(a) When a reportable [accident] collision involves the death of one or more persons, the motor carrier will notify ODOT within 24 hours of the time they learned of the fatality. Notification should be made by telephone (503) 986-3507, or by fax (503) 986-4249, and must include the information in subsection (b) of this section.

(b) The notification required by subsection (a) of this section must include the most reliable information available to the motor carrier on the following subjects:

(A) Date and time of the [accident] collision;

(B) Location of the [accident] collision;

(C) Name of each carrier involved;

(D) Number of persons killed;

(E) Brief description of the *[accident]* collision; and

(F) Name and telephone number of the person reporting.

(3) Reporting of *[accident]* collision:

(a) Within 30 days after the date of a reportable *[accident]* collision, the motor carrier must submit the completed original of ODOT Form 735-9229 (Motor Carrier *[crash]* Collision Report) with Form 735-32 "Oregon Traffic *[Accident]* collision and Insurance Report" to the ODOT DMV *[accident]* collision Reporting Unit, 1905 Lana Ave. NE, Salem OR 97314.

(b) The motor carrier must fill in the form completely and accurately with the most reliable information available to the carrier at the time the report is submitted.

(c) ODOT Form 735-9229 is attached to Form 735-32 "Oregon Traffic *[accident]* collision and Insurance Report," available online at the DMV website, at DMV offices statewide or by phone at 503-945-5098.

Statutory/Other Authority: ORS 823.011, 825.252

Statutes/Other Implemented: ORS 825.252

740-040-0020

Liability Insurance

Carriers who are required to file liability insurance shall file evidence of such insurance for a minimum single limit of \$750,000 per *[accident]* **collision**.

Statutory/Other Authority: ORS 823, 825

Statutes/Other Implemented: ORS 825.160

740-100-0070**North American Standard Vehicle Out-of-Service Criteria**

The North American Standard Vehicle Out-of-Service Criteria, as recognized by USDOT, in effect April 1, 2024, is adopted by and incorporated into this rule. Inspection violations identified in the Out-of-Service Criteria may be subject to one or more of the following:

(1) Out-of-Service Condition: When any motor vehicle by reason of its mechanical condition or loading, is determined to be so unsafe as to likely cause an *[accident]* **collision** or breakdown or when such conditions would likely contribute to loss of control of the vehicle by the driver, said vehicle must be placed out-of-service. No motor carrier shall permit or require nor shall any person operate any motor vehicle declared and marked “out-of-service” until all required repairs of violations which resulted in the out-of-service condition have been completed. If, at the discretion of the inspector, it is less hazardous to the public to relocate the vehicle, it will be towed, transported or escorted only at the direction of an official authority.

(2) Other: Violations other than out-of-service conditions detected during the inspection process will not preclude the completion of the current trip or dispatch. However, such violations must be corrected or repaired prior to redispach.

Statutory/Other Authority: ORS 184.619, 823.011, 825.232, 825.252

Statutes/Other Implemented: ORS 825.250, 825.252