

A-Engrossed
Senate Bill 1510

Ordered by the Senate February 16
Including Senate Amendments dated February 16

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Provides that bridge that crosses Columbia River near Hood River is part of Oregon Route 35.]
Provides limited exemption from maximum vehicle weight limitations if vehicle uses natural gas as its fuel source.

Provides that transit district may use certain sources of funds for secondary transit supportive system.

A BILL FOR AN ACT

Relating to transportation; creating new provisions; and amending ORS 267.300 and 818.030.

Be It Enacted by the People of the State of Oregon:

EXEMPTIONS FROM WEIGHT LIMITATIONS

SECTION 1. ORS 818.030 is amended to read:

818.030. This section establishes exemptions from the maximum weight limitations under ORS 818.010 and 818.020. The exemptions under this section are in addition to any exemptions under ORS 801.026. Operation in accordance with one of the exemptions described is not subject to the penalties in ORS 818.020. Exemptions are partial or complete as described in the following:

(1) The maximum weight limitations do not apply on any way, thoroughfare or place owned by a district formed under ORS chapters 545, 547 and 551 or a corporation formed under ORS chapter 554.

(2) The maximum weight limitations do not apply on any road or thoroughfare or property in private ownership or any road or thoroughfare, other than a state highway or county road, used pursuant to any agreement with any agency of the United States or with a licensee of such agency, or both.

(3) The maximum weight limitations do not apply to any vehicle, combination of vehicles, article, machine or other equipment while being used by the federal government, the State of Oregon or any county or incorporated city in the construction, maintenance or repair of public highways and at the immediate location or site of such construction, maintenance or repair.

(4) The maximum weight limitations do not apply to vehicles while being used on the roads of a road authority by mass transit districts for the purposes authorized under ORS 267.010 to 267.390, provided the weight of the vehicles is approved by the road authority for the roads.

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (5) Subject to the maximum weight limitations under Tables I and III of ORS 818.010, any vehicle
2 with a single rear axle specially equipped with a self-compactor and used exclusively for garbage
3 or refuse operations may have a loaded weight upon a single axle of not more than 22,000 pounds
4 when laden with garbage or refuse. When unladen or when operating on any highway that is part
5 of the federal interstate highway system such vehicles shall comply with the weight limitations un-
6 der Table II of ORS 818.010.

7 (6) Weight limitations are not applicable in any place and to the extent the weight limitations
8 are modified by a road authority under ORS 810.060. The exemption under this subsection is subject
9 to the limitations imposed by the road authority exercising the powers granted under ORS 810.060.

10 (7) Operations authorized to exceed weight limitations by a variance permit issued under ORS
11 818.200 are subject to the terms of the permit. It shall be a defense to any charge of violation of
12 ORS 818.020 if the person so charged produces a variance permit issued under ORS 818.200 author-
13 izing the operation of the vehicle or combination of vehicles issued prior to and valid at the time
14 of the offense.

15 (8)(a) Notwithstanding Table III of ORS 818.010, two consecutive sets of tandem axles may have
16 a loaded weight of 34,000 pounds each when operating on interstate highways with a permit and on
17 other highways without a permit, providing the distance between the first and last axles of the two
18 sets of tandem axles is at least 30 feet but less than 36 feet.

19 (b) Notwithstanding Table III of ORS 818.010, two consecutive sets of tandem axles may have
20 a loaded weight of 34,000 pounds each when operating on any highway if the overall distance be-
21 tween the first and the last axles of the sets of tandem axles is 36 feet or more.

22 (9) Notwithstanding Table III of ORS 818.010, a group of four axles consisting of a set of tandem
23 axles and two axles spaced nine feet or more apart may have a loaded weight of more than 65,500
24 pounds and up to 70,000 pounds when operating on interstate highways with a permit and on other
25 highways without a permit, providing the distance between the first and last axles of the group is
26 35 feet or more.

27 (10) The maximum weight limitations do not apply to a vehicle equipped with a fully functional
28 idle reduction system designed to reduce fuel use and emissions from engine idling. The vehicle may
29 exceed the weight limitations established under ORS 818.010 by not more than [400] 550 pounds.

30 **(11) The maximum weight limitations do not apply to a vehicle that uses natural gas as**
31 **its fuel source. The vehicle may exceed the weight limitations established under ORS 818.010**
32 **by not more than 2,000 pounds.**

33
34 **TRANSIT**
35

36 **SECTION 2.** ORS 267.300 is amended to read:

37 267.300. (1) Subject to restrictions in the Oregon Constitution, a district board may finance
38 construction, acquisition, purchase, lease, operation and maintenance of a mass transit system and
39 related facilities for the purposes authorized under ORS 267.010 to 267.390 by:

- 40 (a) Levy of ad valorem taxes under ORS 267.305.
41 (b) Service charges and user fees collected under ORS 267.320.
42 (c) Use of the revolving fund authorized under ORS 267.310.
43 (d) Sale of bonds under ORS 267.330 to 267.345.
44 (e) Levy of business license fees under ORS 267.360.
45 (f) Levy of a tax measured by net income under ORS 267.370.

1 (g) Levy of a tax measured by employer payrolls under ORS 267.380, 267.385 and 267.420.

2 (h) Use of funds accepted under ORS 267.390.

3 (i) Short-term borrowings under ORS 267.400.

4 (j) Levy of a tax measured by net earnings from self-employment under ORS 267.380 and 267.385.

5 (k) Any combination of the provisions of paragraphs (a) to (j) of this subsection.

6 (2)(a) All or any part of the funds raised or received by the district under subsection (1)(a) to
7 (k) of this section may be expended by the district for the purpose of financing the construction,
8 reconstruction, improvement, repair, maintenance, operation and use of the primary transit sup-
9 portive system. [*However, only those funds raised or received by the district that are restricted by*]

10 **(b) The district may expend only the following funds for construction, reconstruction,**
11 **improvement, repair, maintenance, operation and use of the secondary transit supportive**
12 **system:**

13 **(A) Funds that are reserved by Article IX, section 3a, of the Oregon Constitution, for the**
14 **purpose of financing the construction, reconstruction, improvement, repair, maintenance, opera-**
15 **tion and use of public highways, roads, streets and roadside rest areas; [*may be expended by the***
16 ***district for the secondary transit supportive system.*]**

17 **(B) Proceeds of general obligation bonds approved by voters under ORS 267.330;**

18 **(C) Grants or contributions; and**

19 **(D) Proceeds of bonds issued under ORS 267.335 that are subject to a reimbursement**
20 **agreement.**

21 **(3) As used in this [subsection] section:**

22 *[(a) "Transit supportive system" means those facilities in any county in which a district operates*
23 *that constitute the surface transportation system in the county, including highways, roads, streets,*
24 *roadside rest areas, park-and-ride stations, transfer stations, parking lots, malls and skyways.]*

25 *[(b)]* **(a) "Primary transit supportive system" means [those facilities] the parts of a transit**
26 **supportive system** upon which or adjacent to which the district physically operates.

27 **(b) "Reimbursement agreement" means a legally binding agreement between the district**
28 **and another party that requires that party to reimburse the district for the district's ex-**
29 **penditure of the funds subject to the agreement.**

30 **(c) "Secondary transit supportive system" means [the remainder of those facilities that constitute**
31 **the surface transportation system, but over which the district's operation or facilities are not physically**
32 **present] the parts of a transit supportive system that are not included in the primary transit**
33 **supportive system.**

34 **(d) "Transit supportive system" means those facilities in any county in which a district**
35 **operates that constitute the surface transportation system in the county, including but not**
36 **limited to highways, roads, streets, roadside rest areas, park-and-ride stations, transfer**
37 **stations, parking lots, malls and skyways.**

38
39 **CAPTIONS**

40
41 **SECTION 3. The unit captions used in this 2016 Act are provided only for the convenience**
42 **of the reader and do not become part of the statutory law of this state or express any leg-**
43 **islative intent in the enactment of this 2016 Act.**