

Committee on Judiciary  
Reference Paper

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Date: July 1974

*See AB 1*

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SUBJECT: Comparison of Uniform Vehicle Code and Oregon Law

UVC Chapter 12. (In Part). IMPLEMENTS OF HUSBANDRY;  
EQUIPMENT REQUIREMENTS. Exclusion from vehicle equip-  
ment requirements of implements of husbandry, road  
machinery, road rollers, farm tractors, vehicles  
described in paragraph (a), subsection (4), ORS 481.205  
(antique vehicles); minimum lighting equipment require-  
ments for excluded vehicles.

UVC s 12-101 (c), (d). Scope and effect of regulations.

(c) The provisions of this chapter with respect to equipment  
required on vehicles shall not apply to implements of husbandry,  
road machinery, road rollers or farm tractors except as herein  
made applicable.<sup>2</sup> (REVISED, 1968.)

(d) The provisions of this chapter with respect to equipment  
required on vehicles shall not apply to motorcycles or motor-  
driven cycles, except as herein made applicable.<sup>3</sup> (NEW, 1968.)

§ 12-216—Lamps on other vehicles and equipment

(a) Every vehicle, including animal-drawn vehicles and vehicles  
referred to in § 12-101 (c), not specifically required by the provisions  
of other sections in this article to be equipped with lamps or other  
lighting devices, shall at all times specified in § 12-201 of this act be  
equipped with at least one lamp displaying a white light visible from  
a distance of not less than 1,000 feet to the front of said vehicle, and  
shall also be equipped with two lamps displaying red light visible from  
a distance of not less than 1,000 feet to the rear of said vehicle, or as  
an alternative, one lamp displaying a red light visible from a distance  
of not less than 1,000 feet to the rear and two red reflectors visible  
from all distances of 600 to 100 feet to the rear when illuminated by  
the lawful lower beams of head lamps. (REVISED, 1971.)

(b) After ..... (date), every animal-drawn vehi-  
cle shall at all times be equipped with a slow-moving vehicle emblem  
complying with § 12-215 (g). (NEW, 1971.)

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UVC ss 12-101 (c), (d), 12-216; ORS 483.032 (3), 483.422,  
483.457 (Cont'd.)

OREGON LAW

ORS 483.032 (3)

(3) The provisions of this chapter with respect to equipment on vehicles do not apply to implements of husbandry, road machinery, road rollers, farm tractors or vehicles described in paragraph (a) of subsection (4) of ORS 481.205, except where expressly made applicable.

[Amended by 1965 c.398 §10; 1967 c.488 §2; 1971 c.229 §1]

**483.422 Lights required on miscellaneous vehicles.** All vehicles, including animal-drawn vehicles and vehicles referred to in subsection (3) of ORS 483.032, not specifically required by ORS 483.402 to ORS 483.420 to be equipped with lamps, shall at the times specified in ORS 483.402 be equipped with at least one lighted lamp or lantern exhibiting a white light visible from a distance of 500 feet to the front of such vehicle and with a lamp or lantern exhibiting a red light visible from a distance of 500 feet to the rear of such vehicle.

**483.457 Slow-moving vehicle emblem; division regulation of design, mounting.** (1)

On a hard-surfaced highway under the jurisdiction of the Department of Transportation, no person shall operate a vehicle or combination of vehicles designed for customary use at speeds of less than 25 miles per hour unless there is displayed on the rear of the power unit a reflectorized or fluorescent slow-moving vehicle emblem of a standard type designed and mounted as required by regulations of the division. Regulations, to the extent considered by the division to be consistent with safety of persons and property, shall conform to the nationally accepted standards for slow-moving vehicle emblems. The requirement of such emblem is in addition to any lighting device required by law.

(2) Notwithstanding subsection (3) of ORS 483.032, this section applies to implements of husbandry, road machinery, road rollers or farm tractors or combinations thereof designed for use at speeds less than 25 miles per hour, except when such vehicles are engaged in actual construction or maintenance work and guarded by a flagman or by clearly visible warning signs.

(3) Whenever a combination of vehicles is being operated in such a manner as to obscure the emblem mounted on the power unit, an additional emblem shall be displayed on the rear of the rearmost vehicle in such combination.

(4) No person shall use a slow-moving vehicle emblem except in conformity with this section.

[1967 c.414 §2; 1969 c.32 §1]

Cases:

No cases interpreting these sections.

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UVC ss 12-101 (c), (d); 12-216; ORS 483.032 (3), 483.422,  
483.457 (Cont'd.)

Analysis:

Subsection (3) of ORS 483.032 exempts from those provisions of chapter 483 which relate to vehicle equipment the following types of vehicles: implements of husbandry, road machinery, road rollers, farm tractors and antique vehicles (as defined in ORS 481.205). This rule is stated in the General Provisions of ORS chapter 483, whereas in the Uniform Vehicle Code and as a general rule in the more recently revised state traffic codes, this rule is placed in the Article on equipment requirements.

The comparable UVC rule, UVC s 12-101 (c), specifies the same types of vehicles as are listed in subsection (3) of ORS 483.032, with the exception of the antique vehicle which is omitted.

"Implement of husbandry" is defined in ORS 481.023 and in subsection (1), ORS 483.012, in identical terms:

" . . . every vehicle designed exclusively for use in agricultural operations. 'Implement of husbandry' does not include vehicles designed exclusively for the transportation of persons or property."

The UVC definition (UVC s 1-125), as revised in 1971, is as follows:

"Every vehicle designed or adapted and used exclusively for agricultural operations and only incidentally operated or moved upon the highways."

The farm tractor is defined in subsection (3) of ORS 483.008 as "any self-propelled vehicle designed primarily for use in agricultural operations for drawing or operating plows, mowing machines and other farm equipment or implements of husbandry." Under UVC s 1-118 it is "Every motor vehicle designed and used primarily as a farm implement, for drawing plows, mowing machines and other implements of husbandry."

Wis Stat Ann s 347.02, similar to subsection (3) of ORS 483.032, vehicles excluded from equipment requirements, includes vehicles drawn by animals, bicycles and farm tractors, as well as the implements of husbandry and self-propelled farm implements which are included in the Oregon code and the UVC.

UVC ss 12-101 (c), (d), 12-216; ORS 483.032 (3), 483.422, 483.457 (Cont'd.)

347.02 Applicability of chapter. (1) No provision of this chapter requiring vehicles to be equipped in a particular manner is applicable to any of the following vehicles unless the vehicle is expressly included within or made subject to the particular provision:

- (a) Farm tractors and self-propelled farm implements;
- (b) Implements of husbandry;
- (c) Vehicles drawn by animals;
- (d) Road machinery;
- (e) Bicycles.
- (f) Trackless trolley busses purchased prior to July 1, 1958.

(2) No provision of this chapter requiring or prohibiting certain types of equipment on a vehicle is applicable when such vehicle is not operated upon or occupying a highway.

(3) Nothing in this chapter shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with this chapter.

(4) Beginning July 1, 1960, the provisions of this chapter covering lighting shall be applicable to all state, county and municipal trucks, truck tractors, trailers and semitrailers.

Under the Wisconsin definitions of "bicycle" and "vehicle," a bicycle is a type of vehicle whereas under the Oregon and UVC definitions a bicycle is not a vehicle and therefore not within the application of ORS 483.032 or UVC s 12-101 (c).

The California code provision analogous to subsection (3), ORS 483.032, Cal Vehicle Code 36500 (1973), specifies by section number the numerous equipment requirements from which implements of husbandry are exempt.

There is an additional rule in the Wisconsin provision analogous to ORS 483.032 not found in the Oregon code or UVC, namely, that equipment provisions do not apply when the vehicle is not operated upon or occupying a highway. The Wisconsin code is so organized that there is a section stating where the rules of the particular chapter or series of sections, whether rules of the road, serious offenses or equipment regulations, apply in terms of highways or highways and property held out for use by the public by their motor vehicles.

Neither the UVC nor the Oregon code has a general provision stating where, whether on highways only or throughout the state including on private property, equipment rules apply. However, under both UVC s 12-201 and ORS 483.402, lighting requirements for vehicles at certain times, e.g., after sunset, are stated in relation to the vehicle upon a highway.

UVC ss 12-101 (c), (d), 12-216; ORS 483.032 (3), 483.422,  
483.457 (Cont'd.)

To be considered with the above general provisions from the UVC, Oregon code, and certain states cited for illustration exempting implements of husbandry and other enumerated vehicles from equipment requirements, is the companion rule that all vehicles not specifically required by the provisions of the Article to be equipped with lamps or other lighting devices must be equipped with certain minimum lighting front and back. In the UVC this rule is stated in section 12-216. It applies to every vehicle including animal-drawn vehicles and those referred to in UVC s 12-101 (c). Since there are specific lighting requirements stated in s 12-215 for farm tractors, farm equipment and implements of husbandry, including towed units thereof, and for road machinery in s 12-229, the rule of s 12-216 appears to apply only to farm implements manufactured prior to whatever date the rules of s 12-215 would take effect.

The Oregon rule comparable to UVC s 12-216 stating minimum lighting equipment requirements for vehicles excluded by subsection (3) of ORS 483.032 from equipment requirements, is set forth in ORS 483.422. It includes animal-drawn vehicles as does UVC s 12-216. It states a minimum visibility distance requirement of 500 feet, whereas the UVC states 1,000 feet.

The rule of UVC s 12-216 and ORS 483.422 applies only when the specified vehicles are being operated during hours of darkness. (The times in the Oregon code when lights must be used are stated in ORS 483.402.)

The rule of subsection (3), ORS 483.032, would be more appropriately located in the equipment provisions than in the Article on General Provisions. It differs from the UVC rule in that it applies to antique vehicles in addition to the types of vehicles covered by UVC s 12-102 (c).

The UVC, in its rules of s 12-215 for lights and reflectors on implements of husbandry, states more extensive requirements than does the Oregon code in ORS 483.422. The catchall provision of UVC s 12-216 requiring certain minimum lighting on every vehicle not specifically required to be equipped with lamps or other lighting devices appears directed at any type of road roller or road machinery or implement of husbandry not currently covered by any other lighting equipment regulation.

UVC ss 12-101 (c), (d), 12-216; ORS 483.032 (3), 483.422,  
483.457 (Cont'd.)

A third provision in the Oregon code directed specifically to implements of husbandry as well as to road machinery, is ORS 483.457. Under subsection (2) of that section, the rule of subsection (1) requiring display of slow-moving vehicle emblem on highways under the jurisdiction of the Department of Transportation, applies to implements of husbandry and road machinery and farm tractors designed for use at speeds less than 25 miles per hour. The emblem need not be displayed where the road machinery is engaged in maintenance work or guarded by signs.

The comparable UVC rule is found at subsection (e) of UVC s 12-215, the section stating lighting requirements for farm tractors and implements of husbandry. The slow-moving vehicle emblem is to be used on farm equipment. Lighting requirements for snow removal and highway maintenance equipment are to be set by the state agency. There is no slow-moving vehicle emblem requirement for highway machinery.

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