



STATUTORY MINOR CORRECTION

HWD 33-2020
CHAPTER 734
DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Renaming Motor Carrier Transportation Division (MCTD) to Commerce and Compliance Division (CCD)

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Changing the name of a program, office or division within an agency as long as the change in name does not have a substantive effect on the functions of the program, office or division

AMEND: 734-076-0015

RULE TITLE: Definitions

RULE SUMMARY: ODOT has reorganized and renamed some of its divisions. The division formerly known as the Motor Carrier Transportation Division (MCTD) is now called the Commerce and Compliance Division (CCD).

RULE TEXT:

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 (7) of this rule.
- (2) "CCD" means the Commerce and Compliance Division of the Oregon Department of Transportation.
- (3) "Daylight hours" means one-half hour before sunrise until one-half hour after sunset.
- (4) "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.
- (5) "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.
- (6) "GVW" means combined gross vehicle loaded weight.
- (7) "Gross vehicle weight rating" or "GVWR" means the gross vehicle weight rating as defined in ORS 801.298.
- (8) "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.
- (9) "Lift axle" means an axle(s) that can be raised from or lowered to the surface of the ground.
- (10) "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.
- (11) "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.

- (12) "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.
- (13) "Over-Dimension Permit Unit" means the Over-Dimension Permit Unit of the Oregon Department of Transportation, Commerce and Compliance Division.
- (14) "Permit" means written authorization obtained from MCTD 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.
- (15) "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.
- (16) "Tow" means to pull a load or vehicle behind the towing vehicle.
- (17) "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, 400 Public Service Building, Salem, OR 97310 or the Over-Dimension Permit Unit of the Commerce and Compliance Division, 3930 Fairview Industrial Drive SE, Salem OR 97302-1166. 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 tandem drive axle.
- (18) "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; and

(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.

(19) "Transport" means to haul a load or vehicle entirely on the tow vehicle or recovery vehicle.

(20) "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