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RULES:

734-076-0005, 734-076-0015, 734-076-0065, 734-076-0075, 734-076-0085, 734-076-0095, 734-076-0105, 734-076-0115, 734-076-0125, 734-076-0145, 734-076-0155, 734-076-0165, 734-076-0175, 734-076-0185

AMEND: 734-076-0005

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule defines the scope of Division 76 and details the function of the rules within the Division. The amendments added road authority to the first sentence and updated the name of the Commerce and Compliance Division.

CHANGES TO RULE:

734-076-0005

Scope 1

Except as ordered by a peace officer or the road authority, no person will engage in the towing of any vehicle or combination of vehicles that exceed the maximum size or weight provided by statute unless that person has obtained a special permit from the ~~Motor Carrier Transportation~~ Commerce and Compliance Division, Over-Dimension Permit Unit of the Oregon Department of Transportation. The provisions of OAR 734-076-0005 through 734-076-0185 authorize permits for combinations of vehicles including the tow vehicle that exceed size or weight limitations established by law or rule. These rules also provide a means of removing over-dimensional and/or overweight disabled units from state highways, authorize recovery of the load transported by such vehicles and allow a replacement vehicle to be transported to the scene. Tow vehicles may not be used to circumvent legalization of a vehicle or combination of vehicles as required by an enforcement official.

Statutory/Other Authority: ~~ORS 184.616~~, 184.619

Statutes/Other Implemented: ORS 818.170

AMEND: 734-076-0015

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule details the definitions used throughout the rules within Division 76. Several definitions were added and some were rearranged.

CHANGES TO RULE:

734-076-0015

Definitions ¶

For the purposes of ~~d~~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.¶
~~(210)~~ 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.¶
- ~~(35)~~ "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.¶
- ~~(46)~~ "Emergency" means the towing of a vehicle due to a motor vehicle accident, 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.¶
- ~~(58)~~ "GVW" means combined gross vehicle loaded weight.¶
- ~~(69)~~ "Gross vehicle weight rating" or "GVWR" means the gross vehicle weight rating as defined in ORS 801.298.¶
- ~~(710)~~ "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.¶
- ~~(811)~~ "Lift axle" means an axle(s) that can be raised from or lowered to the surface of the ground.¶
- ~~(912)~~ "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.¶
- ~~(103)~~ "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.¶
- ~~(11)~~ "MCTD" means the Motor Carrier Transportation Division of the Oregon Department of Transportation.¶
- ~~(124)~~ "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.¶
- ~~(135)~~ "Over-Dimension Permit Unit" means the Over-Dimension Permit Unit of the Oregon Department of Transportation, ~~Motor Carrier Transportation~~Commerce and Compliance Division.¶
- ~~(146)~~ "Permit" means written authorization obtained from ~~MCT~~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.¶
- ~~(157)~~ "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.¶
- ~~(168)~~ "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.¶
- ~~(217)~~ "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~~ 3565 Trelstad Ave SE, Salem, OR 97310 or the Over-Dimension Permit Unit of the ~~Motor Carrier Transportation~~ Commerce and Compliance Division, 4550 Capitol Street NE Airport Road SE, Building A, Salem, OR 97301-2530. 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 drive 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.¶

~~(1822)~~ "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; and¶

(d) A rotator tow vehicle.¶

~~(1923)~~ "Transport" means to haul a load or vehicle entirely on the tow vehicle or recovery vehicle.¶

~~(204)~~ "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 184.616,~~ 184.619, 810.060, 823.011

Statutes/Other Implemented: ORS 818.170, 818.200, 818.210

AMEND: 734-076-0065

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This amendment updates the name of CCD from MCTD.

CHANGES TO RULE:

734-076-0065

Payment of Appropriate Taxes and Fees ¶

The motor carrier towing a disabled vehicle(s) is responsible for paying the appropriate road use taxes when operating under Division 76 rules. When the gross weight exceeds 98,000 pounds, road use fees described in ORS 818.225 must be paid. When the gross weight is 98,000 pounds or less, weight-mile tax must be paid. All fees must be paid to the ~~MCTD~~CCD.

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

Statutes/Other Implemented: ORS 818.200, 818.220

AMEND: 734-076-0075

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: These amendments update the process of and requirements for permit application.

CHANGES TO RULE:

734-076-0075

Application for Permit ¶

(1) To apply for a permit under this rule contact, ~~Motor Carrier Transportation~~ Commerce and Compliance Division at 503-373-0000. The permit may be mailed or transmitted electronically for pick up by the applicant. ¶

(2) To qualify for a permit, a towing company must have vehicles that are registered as tow vehicles under ORS 803. Log truck and full log truck "towing vehicles" are exempt from this requirement. ¶

(3) The applicant must provide: ¶

(a) Permittee name and address; ¶

(b) Towing or recovery vehicle year and make; ¶

(c) Towing or recovery vehicle identification number (also known as VIN number); ¶

(d) Towing or recovery vehicle registration plate number; and ¶

(e) Towing or recovery vehicle unit number if one has been assigned by the towing company. ¶

(4) In addition to the requirements in section (3) of this rule, the applicant may be required to provide dimension and weight when applying for a single trip permit (STP). ¶

(5) Permits will not be issued when an application is incomplete. ¶

(6) The following conditions apply to permits: ¶

(a) A continuous trip permit (CTP) must be obtained and carried in the tow or recovery vehicle prior to moving an oversize or overweight disabled vehicle, or a load from a disabled vehicle. ¶

(b) ~~A STP~~ During business hours, a single-trip permit must be obtained prior to operations when ~~w:~~ ¶

(A) Weight exceeds 98,000 pounds GVW and does not exceed permit w: Weight ¶ Table 45 group axle weights or w: Weight Table 5, revised January 2023, is by reference made part of Division 76 rules, and is available from the Commerce and Compliance Division, Over-Dimension Permit Unit. Or ¶

(B) When the size exceeds the dimensions authorized for the load operating under an oversize permit, or ¶

(C) Conforming to the permittable length allowed in OAR 734-076-0155 (2)(b). ¶

(c) Except when directed by law enforcement, the road authority, or the operator of the vehicle ~~after outside of~~ normal business hours to remove a disabled unit from the initial roadside location, a ~~transportation permit, CTP or STP~~ continuous trip permit or single-trip permit must be obtained no later than the next business day. To qualify for the STP ~~the operator of the tow vehicle must single-trip permit: ¶~~

(A) A valid continuous trip permit must be issued to the tow vehicle; and ¶

(B) The weight of the tow vehicle and disabled vehicle(s) must not exceed the weights described in possession of a current CTP OAR 734-076-0145; and ¶

(C) The length limit allowed in OAR 734-076-0115 (2)(b) must not be exceeded.

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

Statutes/Other Implemented: ORS 818.170, 818.200, 818.220

AMEND: 734-076-0085

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule defines the duration for permits under Division 76. The amendment was housekeeping in nature.

CHANGES TO RULE:

734-076-0085

Permit Duration ¶

Permits issued under ~~these~~ Division 76 rules are for a single trip within a period of time not to exceed 10 days, or continuous trips for up to one year from the effective date.

Statutory/Other Authority: ORS ~~184.616~~, 184.619, 818.220

Statutes/Other Implemented: ORS 818.170

AMEND: 734-076-0095

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule details when and how Division 76 permits can be cancelled. The amendments updated the language slightly.

CHANGES TO RULE:

734-076-0095

Cancellation of Permit **¶**

A ~~transportation~~ permit issued under these Division 76 rules may be canceled at any time by the granting authority for any of the reasons stated in ORS 818.220.

Statutory/Other Authority: ORS ~~184.616~~, 184.619

Statutes/Other Implemented: ORS 818.170

AMEND: 734-076-0105

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule details the provisions that apply under Division 76. The amendments update the rule language including the requirement for payment of damages within 10 days.

CHANGES TO RULE:

734-076-0105

General Permit Provisions ¶¶

The following provisions apply to permits issued under these Division 76 rules:¶¶

(1) Posted Load Limits - A vehicle or combination of vehicles may not operate over a highway posted for reduced weights or dimensions unless responding to an emergency on that highway and there is no other route available.¶¶

(2) 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 caused or occasioned by the movement of the disabled unit. The permittee hereby agrees to reimburse ODOT for said highways, and hereby agrees to reimburse the Department of Transportation (Department) for the cost or expense of repairing or restoring the any highway. Such payment must be made structure damaged, or destroyed; such reimbursement to be made by the permittee within 30 ten days after being billed by ODOT for the same by the Department.¶¶

(3) Insurance - Permittee will be held responsible and liable for any and all injury to persons or damage to property resulting from the movement of the disabled unit. Permittee must reimburse and hold harmless the State of Oregon, and the Oregon Transportation Commission, its members, officers, and employees, jointly and solely, from liability that may occur.¶¶

(4) The driver of a towing vehicle must have the proper operating license and all required endorsements for the operations conducted.

Statutory/Other Authority: ~~ORS 184.616~~, ORS 184.619

Statutes/Other Implemented: ORS 818.170, 818.200, 818.220

AMEND: 734-076-0115

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule describes the authorized use of tow vehicles under Division 76. The amendments made minor changes to the language relating to movement of disabled units.

CHANGES TO RULE:

734-076-0115

Tow Vehicle Authorized Use ¶

(1) The following uses are allowed for tow vehicles towing disabled vehicles when operating under a permit issued by the Over-Dimension Permit Unit:¶

(a) A Class A tow vehicle may tow a combination of vehicles only the distance necessary to leave the public highway. From that point, no more than one vehicle may be towed;¶

(b) A Class B and Class C tow vehicle may tow a:¶

~~(A) A single vehicle unrestricted as to distance; or~~¶

~~(B) A combination of vehicles authorized by statute, rule, or variance permit to the nearest population center of at least 15,000 or 100 airmiles in Oregon, whichever is greater; and~~¶

(c) A Class D tow vehicle is not authorized to tow more than one vehicle.¶

~~(2) A truck-tractor semitrailer load recovery vehicle may only be used to transport the load of a disabled unit from the site of the incident to the nearest population center of at least 15,000, or 100 airmiles in Oregon, whichever is greater. Such load recovery vehicle may transport, in addition to the recovered load, equipment necessary to recover the load. The weight may exceed those established in ORS 818.010 providing the weight does not exceed that allowed by OAR 734-076-0145.~~¶

(3) A solo recovery vehicle may be used only to transport the load of a disabled vehicle that is of comparable size to the recovery vehicle.¶

(4) A log truck or full log truck "towing vehicle" may tow an empty disabled log truck, a disabled log truck with a decked pole trailer, a loaded or unladen disabled full log truck, a disabled motor truck modified to transport logs with a trailer decked, or a loaded disabled log truck and pole trailer combination. A loadend disabled log truck and pole trailer combination may be towed only to a destination mill or the motor carrier terminal, whichever is closer.¶

(5) A towing vehicle may tow a replacement vehicle to the necessary location.¶

(6) A tow vehicle used to haul commodities other than disabled vehicles, or a replacement vehicle, as referenced in subsection (5) of this rule, must obtain a ~~variance~~ permit in accordance with OAR Chapter 734 applicable to the oversize or overweight load being hauled. The ~~variance~~ permit must be obtained prior to the move and carried in the tow vehicle.

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

Statutes/Other Implemented: ORS 818.170, 818.200, 818.220

AMEND: 734-076-0125

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule details the equipment standards and safety requirements for tow vehicles. The amendments update references to other rules.

CHANGES TO RULE:

734-076-0125

Equipment Standards and Safety for Tow Vehicles ¶¶

(1) A tow vehicle shall have the minimum equipment required by OAR 257-050-0416200 to qualify for a variance permit. Copies of 257-050-0416200, Mandatory Equipment Standards for Tow Trucks/Safety Related Requirements, are available as stated in OAR 734-076-0015.¶¶

(2) When towing a vehicle or combination of vehicles, a minimum of two safety chains shall be used. The safety chains shall be of sufficient strength to control the towed vehicle(s) in event of failure of the regular hitch, coupling device or other connection. No more slack shall be left in the safety chain than is necessary to permit proper turning. The safety chains shall be securely attached to the towing vehicle (not the stinger) and to the frame or axle of the towed vehicle.¶¶

(3) When towing a combination of vehicles over a highway for other than removing the vehicle(s) from the initial emergency, operable brakes are required on each vehicle in the combination except towed power units equipped with air brakes. When brakes are required, brakes must be controlled from the cab of the towing vehicle, except as described in section (5) of this rule.¶¶

(4) The rear vehicle being towed shall be equipped with operable lights including, but not limited to, tail lights, stop lights and turn signals.¶¶

(5) When a log truck or full log truck "towing vehicle" is towing a disabled log truck-pole trailer, the disabled log truck may be operated by a driver steering the disabled log truck-pole trailer combination controlling the brakes of the towed vehicle(s) and operating lights including, but not limited to, tail lights, stop lights and turn signals. If the towed vehicle is occupied by a driver, there must be a two way audio communication system allowing the drivers of the towed vehicle and the towing vehicle to communicate.

Statutory/Other Authority: ORS ~~184.616~~, 184.619

Statutes/Other Implemented: ORS 818.170

AMEND: 734-076-0145

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule defines the maximum weights allowed under Division 76. The amendments describe a rotator tow vehicle and requirements for its use.

CHANGES TO RULE:

734-076-0145

Maximum Weights ¶

(1) Maximum weight for towing vehicles is as follows:¶

(a) Class A and Class D tow vehicles must conform to ORS 818.010;¶

(b) All towing vehicles must conform to ORS 818.010 when towing a disabled unit by draw bar or tow chain method; and¶

(c) When any portion of the weight of the disabled unit rests upon a Class B ~~or~~, Class C tow vehicle, or rotator tow vehicle and operating under a continuous trip permit;¶

(A) A single drive axle may not exceed 600 pounds per inch of tire width not to exceed 23,000 pounds on a single axle;¶

(B) A tandem drive axle may not exceed 600 pounds per inch of tire width not to exceed 23,000 pounds on each axle or 46,000 pounds on the tandem axle;¶

(C) Any group of three or more axles may not exceed 600 pounds per inch of tire width not to exceed the weight allowed by Weight Table 3 ~~(permit attachment)~~4, revised January 2023. Weight Table 4 is by reference made part of Division 76 rules, and is available from the Commerce and Compliance Division, Over-Dimension Permit Unit.¶

(D) A rotator tow vehicle must have no more than 5 axles;¶

(E) A combination that includes a rotator tow vehicle must not cross any posted weight-restricted bridges for SHVs, regardless of the level of load posting or number of axles on the tow vehicle;¶

(F) The gross weight for the tow vehicle and disabled vehicle(s) must not exceed 98,000 pounds; and¶

~~(D)~~ The steering axle of the towing vehicle must carry sufficient weight required to maintain a safe operation and at no time will weigh less than 3,000 pounds for Class B tow vehicles or 3,500 pounds for Class C and rotator tow vehicles.¶

(d) When unladen, and operating under a continuous trip permit, a rotator tow vehicle must not:¶

(A) Exceed the tire, axle, and group axle weights allowed by Weight Table 3, revised January 2023. Weight Table 3 is by reference made part of Division 76 rules, and is available from the Commerce and Compliance Division, Over-Dimension Permit Unit;¶

(B) Exceed a gross weight of 86,000 pounds; and¶

(C) Cross any posted weight-restricted bridges in excess of the weight limits allowed for SHVs.¶

(2) Maximum weights for disabled units are as follows:¶

(a) When being towed by Class A or any Class D tow vehicle, all weights must conform to ORS 818.010;¶

(b) When being towed by a Class B or Class C tow vehicle using a draw bar or tow chain method, the weight of the disabled unit must conform to ORS 818.010 or to the ~~transportation variance~~ permit issued to the disabled unit;¶

(c) When a Class B or Class C tow vehicle carries a portion of the weight of the disabled unit, the first load bearing axle(s) of the disabled unit may weigh 600 pounds per inch of tire width, not to exceed 21,500 pounds on any single axle or 43,000 pounds on a tandem axle, unless otherwise provided by a ~~transportation variance~~ permit issued to the disabled unit; and¶

(d) When being towed by a log truck or full log truck "towing vehicle," the weight of the disabled unit must conform to ORS 818.010 or to the ~~transportation variance~~ permit issued to the disabled unit.¶

(3) When operating under a ~~CTP~~continuous trip permit, the combination maximum weight for the tow vehicle and disabled vehicle must not exceed the weight allowed in section (1) and (2) of this rule.¶

(4) When operating under a ~~STP~~the single drive axle single-trip permit:¶

(a) The drive axle(s) of the tow vehicle must not exceed:¶

(aA) 600 pounds per inch of tire width,¶

(bB) 23,000 pounds on each axle;¶

(cC) 46,000 pounds on the ~~a~~ tandem axle ~~and group axle; or group; or~~¶

(D) Other axle and group axle weights allowed by Weight Table 4, revised January 2023, for any group of 3 or more axles.¶

~~(db)~~ The gross weight authorized by permit Weight Table 4 Except as provided in Section (2) and Section (4a) of this rule, the maximum weight allowed on all other axles and groups of axles must not exceed the weights allowed by Weight Table 4, revised January 2023.¶

(5) A load recovery vehicle consisting of a truck-tractor semitrailer may transport a divisible or non-divisible load. Except when operating under a ~~STP~~single-trip permit, the weight must not exceed:¶

(a) 600 pounds per inch of tire width;¶

(b) 21,500 pounds on a single axle or 43,000 pounds on a tandem axle;¶

(c) 98,000 pounds; and¶

(d) ~~The weight stated in Permit Weight Table~~ Other axle group weights allowed on Weight Table 3, revised January 2023.¶

(6) A solo recovery vehicle may transport a non-divisible load. The weight must not exceed:¶

(a) 600 pounds per inch of tire width;¶

(b) 21,500 pounds on a single axle;;¶

(c) 43,000 pounds on a tandem axle ; and¶

(d) ~~The weight stated in Permit Weight Table~~ Other axle group weights allowed on Weight Table 3, revised January 2023.¶

(7) Lift axles must be deployed when axle weights exceed that allowed under ORS 818.010.¶

[~~ED. NOTE: Tables referenced are available from the agency.~~]

Statutory/Other Authority: ORS 184.616~~9~~, 818.619~~184.619~~, 823.011

Statutes/Other Implemented: ORS 818.200, 818.220

AMEND: 734-076-0155

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule defines the maximum dimensions (length, width, and height) for continuous trip permit operations. The amendments add requirements for rotator tow vehicles.

CHANGES TO RULE:

734-076-0155

Maximum Dimensions for Continuous Trip Permit Operations ¶

~~(1) Height and Width: No disabled unit, including load, will exceed 14 feet in height or eight feet-six inches in width with the exception of:¶~~

~~(a) When initially operating under a transportation permit authorizing a greater height or 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 an accident or 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 128 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;¶~~

~~(ed) 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¶~~

~~(de) 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

AMEND: 734-076-0165

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule describes pilot vehicles and defines the pilot vehicle requirements under various operating circumstances. The amendments update related publications and their publication dates.

CHANGES TO RULE:

734-076-0165

Pilot Vehicle(s) ¶

(1) Pilot vehicles may be needed to ensure the safety of the traveling public when the tow vehicle and disabled unit involve excessive width, height, length or projections to the front or rear of vehicles or combinations of vehicles. The configuration of such pilot vehicle(s) must be a passenger car, pick-up, truck or truck-tractor of legal size and weight. Combinations of vehicles are not allowed as pilot vehicles. The number of pilot vehicles required for certain movements is shown on ~~permit-Attachment 76-A~~, which is provided with the permit. Attachment 76A, revised January 2023, is by reference made part of Division 76 rules, and is available from the Commerce and Compliance Division, Over-Dimension Permit Unit. ¶

(2) Pilot vehicles escorting oversize loads or vehicles are required to have the following: ¶

(a) Warning signs mounted above the roofline of the vehicle. This sign must bear the legend "OVERSIZE LOAD." The sign must be at least five feet wide by ten inches high and have black letters eight inches high with one-inch brush stroke in accordance with Federal Highway Administration series B, on highway yellow background. The sign must be displayed only during the course of the oversize movement, and must be removed or retracted at all other times. The sign must be clean, legible and mounted adequately to afford full view at all times, when in use, to the front or rear depending upon location of pilot vehicle or relative to the oversize unit. ¶

(b) Warning lights are required in addition to those lights that may otherwise be required by law. The warning lights must be displayed only during the course of the oversize movement, and at all other times the requirements found in ORS 816.350(7) will apply. Strobe lights are allowed. These lights must be mounted above the roof of the cab, be clearly visible from 500 feet, have a minimum of 30 flashes per minute and be either: ¶

(A) Two flashing amber lights as widely spaced laterally as is practical; ¶

(B) Revolving type amber light(s); or ¶

(C) Amber type strobe light(s) with 360-degree visibility. ¶

(c) Two-way radio communications between the towing vehicle and the pilot vehicle(s) must be maintained at all times. ¶

(d) Two 18-inch-square red or fluorescent orange flags mounted on three-foot length staffs must be carried by each pilot vehicle. The pilot vehicle operator will use the flags to warn oncoming or overtaking traffic when the oversize unit is stopped and obstructing traffic; and ¶

(e) Eight safety flares or reflectors. Safety flares may not be used when the movement involves hazardous materials. ¶

(3) The number of pilot vehicles required for certain movements is shown on ~~Permit-Attachment 76-A~~, revised January 2023, which is issued with permits requiring pilot vehicles. The Chief Engineer is authorized to alter the number of pilot vehicles from those specified in ~~permit-Attachment 76-A, revised January 2023~~, depending upon local conditions, seasonal traffic, construction projects or other considerations. The permit will reflect altered requirements. ¶

(4) ~~Permit Attachment 76-A is available from the Motor Carrier Transportation Division, Over-Dimension Permit Unit.~~ ¶

(5) The highway classification groups referred to in ~~Permit-Attachment 76-A, revised January 2023~~, are established and maintained by the Chief Engineer. ¶

(6) Positioning of pilot vehicles - Unless specified otherwise, the pilot vehicle(s) must be positioned ahead of (when one is required) or to the front and rear of (when two or more are required) the oversize unit at a distance of 300 feet to 500 feet from the unit. In areas where traffic congestion is encountered, where traffic is controlled by signals or where other conditions may require, the spacing will be reduced as may be required to properly safeguard the traveling public. ¶

(7) When for any cause the oversize unit is stopped and occupies or encroaches onto the highway's travel lane, the pilot vehicle(s) must be positioned to warn and safeguard other traffic approaching from any direction from which visibility or sight distance may be limited. ¶

(8) Duties of pilot vehicle operators: ¶

(a) Warn approaching or overtaking traffic of the unit's presence on the highway to provide a maximum of protection and safety for the traveling public; and ¶

(b) When encountering bridges, structures, tunnels or other locations where clearances may be limited to the extent that normal two-way traffic cannot be maintained, the pilot vehicle operator must signal by hand or radio to the towing vehicle driver when the oversize unit can proceed without conflict to approaching traffic. As the oversize unit then proceeds through such areas of impaired clearance, the pilot vehicle operator must warn approaching traffic.¶

(98) Pilot vehicle(s) are considered to be under the direct control and supervision of the tow truck operator.¶

(109) Specific identified locations may require additional precautions. Permits will specify locations that require certified flagging to be conducted. The flagging must be conducted in accordance with the standards in the Manual on Uniform Traffic Control Devices as adopted in OAR 734-020-0005.¶

~~[Publications: Publications referenced are available from the agency.]~~

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

Statutes/Other Implemented: ORS 816.350, 818.170, 818.200, 818.220

AMEND: 734-076-0175

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule defines the approved routes for tow vehicles under Division 76. The amendments update the requirements and permissions for tow vehicles in emergencies.

CHANGES TO RULE:

734-076-0175

Approved Routes ¶¶

(1) When removing a load or vehicles from an emergency:¶¶

~~(a) While removing a vehicle from the initial emergency, towing vehicles or load recovery vehicles operating under Division 76 rules may operate on all state highways. Thereafter, vehicles may operate over Group 1 highways shown on Group Map 1 or approved routes shown on~~ may operate on all state highways as directed by an enforcement officer or the road authority.¶¶

~~(b) When not otherwise directed by an enforcement officer or the road authority, tow vehicles may operate over any route approved for the disabled vehicle(s) prior to the incident;¶¶~~

~~(c) When not otherwise directed by an enforcement officer or the road authority, load recovery vehicles may operate over approved routes and at the lengths authorized on Group Map 1 or Route Map 7, or approved those routes shown on the permit issued to the disabled unit. Overweight vehicles and combinations of vcontinuous trip permit or single-trip permit issued to the disabled vehicle. Vehicles(s) may not operate on highways with exceed weight restrictions shown on Route Map 8 and the most current Attachment 100A.¶¶~~

~~(d) Group Map 1, Route Map 7 and Route Map 8 are available from the Over-Dimension Permit Unit, Motor Carrier Transportation Division, 550 Capitol Street NE, Salem OR 97301 or at www.oregontruckingonline.com revised April 2021, Route Map 7, revised May 2020, Route Map 8, revised November 2023, and Attachment 100A, revised November 2023 are by reference made part of Division 76 rules, and are available from the Commerce and Compliance Division, Over-Dimension Permit Unit.¶¶~~

(2) The Chief Engineer may add additional highway routes to those approved for operation or delete from the approved routes any highway or section of highway when continued operation of the units is not in the public's best interest.¶¶

(3) This rule does not authorize operation over highways, streets, or roads not under the jurisdiction of the Department of Transportation. For such operations, separate permission must be obtained from the appropriate authority.

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

Statutes/Other Implemented: ORS 818.200, 818.220

AMEND: 734-076-0185

NOTICE FILED DATE: 11/27/2023

RULE SUMMARY: This rule defines hauling hours and days for tow vehicles. The amendments add road authority to section (3)(b) and update the description of a permit in section (3)(c).

CHANGES TO RULE:

734-076-0185

Hauling Hours and Days ¶

- (1) Except as provided in section (3) of this rule, hauling hours and days shall be those authorized as follows:¶
- (a) When operating on interstate highways and other highways approved by the Chief Engineer, movement between one-half hour after sunset and one-half hour before sunrise is allowed if:¶
 - (A) Width is not in excess of ten feet; and¶
 - (B) The outermost extremities are illuminated by lamps or markers as described by the requirements of ORS Chapter 816.¶
 - (b) If the width exceeds eight feet six inches or if towing a combination of vehicles, movement is not allowed as provided in subsection (1)(a) of this rule:¶
 - (A) During any hours on State-observed holidays, which for the purpose of Division 76 rules, are New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day;¶
 - (B) After 2:00 p.m. on the last business day preceding the State-observed holiday through one-half hour before sunrise of the first business day following the observed holiday;¶
 - (C) From noon on the Wednesday preceding Thanksgiving Day until one-half hour before sunrise on Monday following Thanksgiving Day;¶
 - (D) During daylight hours Saturday afternoons and Sundays after Memorial Day and before Labor Day;¶
 - (E) When wind or other conditions may cause the vehicle or vehicles to swerve, to whip, to sway or fail to follow substantially in the path of the towing vehicle;¶
 - (F) When road surfaces are hazardous due to ice, snow or frost; or¶
 - (G) When visibility is less than 500 feet due to snow, mist, rain, dust, smoke, fog or other atmospheric conditions.¶
 - (2) The Chief Engineer may impose or alter time of travel restrictions. Alterations may be necessary to prevent conflict with highway construction or repair projects, or to cope with local or seasonal traffic conditions.¶
 - (3) The provisions of section (1) of this rule do not apply when:¶
 - (a) Performing the initial emergency removal of the disabled unit from the highway;¶
 - (b) Acting at the direction of a peace officer or the road authority; or¶
 - (c) The disabled vehicle or combination of vehicles is operating under a rule or ~~variance permit~~ permit issued in accordance with OAR Chapter 734 allowing movement prior to the emergency.
- Statutory/Other Authority: ORS ~~184.616~~, 184.619
Statutes/Other Implemented: ORS 818.170