Chapter 483

1973 REPLACEMENT PART

Motor Vehicle Traffic and Equipment

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DEFINITIONS

483.002 "Authorized emergency vehicle," "axle," "bicycle," "bicycle lane" and "bicycle path," "business district" and "bus trailer" defined. As used in this chapter, except where the context otherwise requires:

(1) "Authorized emergency vehicle" means vehicles of the fire department or fire patrol, police vehicles, emergency vehicles of municipal departments or public service corporations and ambulances while being used for emergency purposes and displaying the required lights and sounding a siren or other audible warning.

(2) "Axle" means any structure or structures, whether in one or more segments, of any vehicle, supported by wheels and on which the wheels rotate, so spaced longitudinally that the centers thereof are included between two vertical parallel transverse planes 40 inches apart.

(3) "Business district" means the territory contiguous to a highway when 50 percent or more of the frontage thereon for a distance of 600 feet or more on one side, or 300 feet or more on both sides, is occupied by buildings used for business.

(4) "Bus trailer" means any trailer designed or used for carrying human beings.

(5) "Bicycle" means every device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than 14 inches in diameter, or having three wheels, all of which are more than 14 inches in diameter.

(6) "Bicycle lane" means that part of the highway, adjacent to the roadway, designated by official signs or markings for use by persons riding bicycles.

(7) "Bicycle path" means a public way maintained for exclusive use by persons riding bicycles and designated as such by official signs or markings.

[Amended by 1973 c.580 §1]

483.004 "Chauffeur" defined. (1) As used in ORS 483.006 to 483.462, 483.538 to 483.626, and 483.990 to 483.992, except where the context otherwise requires, the term "chauffeur":

(a) Means every person who is employed by another for the principal purpose of driving a motor vehicle, and every person who drives a motor vehicle carrying persons or property for compensation; but

(b) Does not include students operating vehicles commonly known and used as private passenger vehicles, which are not operated for compensation except in the transportation of students to or from school.

(2) As used in ORS 483.502 to 483.536, 483.628, and 483.994 to 483.998, except where the context otherwise requires, the term "chauffeur" means any person who is employed by another for the principal purpose of operating a motor vehicle, and every person who drives a motor vehicle while in use as a public or common carrier of persons or property for a consideration other than the sharing of expenses.

483.006 "Combination of vehicles," "combined weight," "department" and "crosswalk" defined. As used in this chapter, except where the context otherwise requires:

(1) "Combination of vehicles" means two or more vehicles coupled together.

(2) "Combined weight" means the sum of the weight of the vehicle and the weight of the load resting thereon or sustained thereby.

(3) "Department" means the Department of Transportation.

(4) "Crosswalk" means:

(a) Except as provided in paragraph (b) of this subsection, that portion of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the street or highway measured from the curbs or, in the absence of curbs, from the edges of the traveled roadway to the property lines; or the prolongation of the lateral lines of a sidewalk, to the sidewalk on the opposite side of the street, if the prolongation would meet such sidewalk; or

(b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface of such roadway, conforming in design to standards prescribed by the commission. Whenever marked crosswalks have been indicated, such crosswalks and no other shall be deemed lawful across such roadway at that intersection.

483.008 "Division," "driver" or "operator," "farm tractor" and "gross weight" defined. As used in this chapter, except where the context otherwise requires:

(1) "Division" means the Motor Vehicles Division of the Department of Transportation.

(2) "Driver" or "operator" means any person, other than a chauffeur, who is in

actual physical control of a vehicle upon the highways or streets of this state.

(3) "Farm tractor" means 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.

(4) "Gross weight" means the weight of a vehicle or combination of vehicles, or wheel, or axle, or tandem axles or group of axles, without load plus the weight of any load thereon.

[Amended by 1955 c.287 §29; 1965 c.398 §8]

483.010 "Group of axles," "highway," "road" and "street" defined. As used in this chapter, except where the context otherwise requires:

(1) "Group of axles" means any two or more axles in sequence of one vehicle, or one or more axles of one vehicle and one or more axles of another vehicle in sequence in a combination of vehicles, so spaced longitudinally that the centers of the first and last axles of the group of axles are six feet or more apart.

(2) "Highway," "road" or "street" has the meaning given the term "highway" by ORS 481.020, except that as used in ORS 483.502 to 483.536 and 483.994 to 483.998 the terms do not include 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.

[Amended by 1953 c.691 §12; 1957 c.188 §1; 1973 c.223 §1]

483.012 "Implement of husbandry," "intersection," "local authorities" and "metal tires" defined. As used in this chapter, except where the context otherwise requires:

(1) "Implement of husbandry" means 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.

(2) "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then of the lateral boundary lines of two or more highways which join one another at an angle, whether or not one highway crosses the other.

(3) "Local authorities" means every county, municipal and other local board or body having authority to adopt local police regulations under the Constitution and laws of this state.

(4) "Metal tire" means any tire the surface of which, in contact with the highway, is wholly or partly of metal or other hard nonresilient material, except that as used in ORS 483.502 to 483.536 and 483.994 to 483.998, the term means any tire made of nonelastic material.

[Amended by 1953 c.691 §12; 1965 c.398 §9]

483.014 "Motor bus," "motorcycle," "motor truck" and "motor vehicle" defined. As used in this chapter, except where the context otherwise requires:

(1) "Motor bus":

(a) Means every motor vehicle designed or used for carrying passengers and their personal baggage for compensation; but

(b) Does not include taxicabs designed or constructed to accommodate and transport not more than five passengers, exclusive of the driver, and fitted with taximeters or using or having some other device, method or system to indicate and determine the passenger fare paid for distance traveled.

(2) "Motorcycle" means every motor vehicle, except tractors, designed to travel on not more than three wheels in contact with the ground.

(3) "Motor truck" means every motor vehicle designed, used or maintained primarily for the transportation of property and having a gross weight in excess of 6,000 pounds.

(4) "Motor vehicle" means any vehicle which is self-propelled.

[Amended by 1955 c.240 §1]

483.016 "Official traffic signs and signals," "owner" and "pilot vehicle" defined. As used in this chapter, except where the context otherwise requires:

(1) "Official traffic signs and signals" means all signs, signals, markings and devices not inconsistent with this chapter, placed or erected by authority of a public body or official having jurisdiction, for the purpose of guiding, directing, warning or regulating traffic.

(2) "Owner" means the person having all the incidents of ownership in a vehicle or where the incidents of ownership are in different persons, the person, other than a security interest holder or lessor, entitled to the possession of a vehicle under a security agreement, or a lease for a term of 10 or more successive days.

(3) "Pilot vehicle" means any motor vehicle escort accompanying a motor vehicle carrying or towing a load of a size or description not permitted under ORS 483.502 to 483.526.

[Amended by 1965 c.343 §17; 1973 c.310 §1]

483.018 "Pneumatic tire," "pole or pipe dolly or pole trailer," "pole trailer," "police officer" and "private road or driveway" defined. As used in this chapter, except where the context otherwise requires:

(1) "Pneumatic tire" means any tire made of elastic material which is inflated with compressed air.

(2) "Pole or pipe dolly or pole trailer" or "pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregular-shaped loads such as logs, poles, pipes or structural members capable, generally, of sustaining themselves as beams between the towing vehicle and such pole or pipe dolly or pole trailer.

(3) "Police officer" includes a member of the Oregon State Police, a sheriff or deputy sheriff, and a city policeman.

(4) "Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from him, but not used by other persons.

[Subsection (3) enacted as 1967 c.500 §2]

483.020 "Residence district," "right of way," "road tractor," "roadway" and "safety zone" defined. As used in this chapter, except where the context otherwise requires:

(1) "Residence district" means the territory contiguous to a highway not comprising a business district when the frontage on one or both sides of such highway for a distance of 300 feet or more is mainly occupied by dwellings, churches, public parks within cities or other residential service facilities or by dwellings and buildings used for business.

(2) "Right of way" means the privilege of the immediate use of the highway.

(3) "Road tractor" means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

(4) "Roadway" means that portion of a street or highway improved, designed or ordinarily used for vehicular travel.

(5) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

[Amended by 1971 c.393 §1]

483.022 "School bus" and "semitrailer" defined. As used in this chapter, except where the context otherwise requires:

(1) "School bus":

(a) Means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to and from school or privately owned and operated for compensation for the transportation of children to or from school; but

(b) Does not include vehicles commonly known and used as private passenger vehicles and not operated for compensation except in the transportation of children to or from school.

(2) "Semitrailer" means every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

483.024 "Sidewalk," "sled," "snowmobile," "solid rubber tire," "solid tire," "solid-tired vehicle," "streetcar" and "tandem axles" defined. As used in this chapter, except where the context otherwise requires:

(1) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

(2) "Sled" means every vehicle moving over the highways of this state, except vehicles that move exclusively on revolving wheels or rotating tracks in contact with the surface of the road.

(3) "Snowmobile" means a self-propelled vehicle capable of traveling over snow or ice, which utilizes as its means of propulsion an endless belt tread, or cleats, or any combination of these or other similar means of contact with the surface upon which it is operated, that is steered wholly or in part by skis or sled-type runners and is not otherwise registered in this state.

(4) "Solid rubber tire" or "solid tire" means every tire made of elastic material other than a pneumatic tire.

(5) "Solid-tired vehicle" means any vehicle having two or more solid or metal tires.

(6) "Streetcar" means every device traveling exclusively upon rails when upon or crossing a street, other than cars or trains propelled or moved by steam engine or by diesel engine.

(7) "Tandem axles" means any two or more axles so spaced longitudinally that their centers may be included between two vertical parallel transverse planes less than six feet apart and more than 40 inches apart.
[Amended by 1959 c.124 §1; subsection (3) enacted as 1969 c.598 §8; 1971 c.618 §13]

483.026 "Tire," "tire width," "total tire width" and "tow car" defined. As used in this chapter, except where the context otherwise requires:

(1) "Tire" means the band of material used on the circumference of a wheel, on the outer face of a track or on a runner of a sled, which forms the tread that comes in contact with the surface of the road; if no band is used, it means the tread or runner of a sled.

(2) "Tire width" means:

(a) Except as provided in paragraphs (b) and (c) of this subsection, the measure taken on the cross section of the tread of a wheel, the outer face of a track, or the runner of a sled.

(b) When applied to solid tires of a motor vehicle, the measure taken on the cross section between the flanges of the circumference of a wheel at the base of the tire as customarily measured and rated by the manufacturers of motor vehicles and tires.

(c) When applied to a pneumatic tire, the diameter of the cross section of such tire as customarily measured and rated by the manufacturers of motor vehicles and tires.

(3) "Total tire width" means the sum of the tire widths of all wheels of a vehicle.

(4) "Tow car" means a motor vehicle which has been altered or designed and equipped for and used in the business of towing vehicles by means of a crane, hoist, tow bar, tow line or dolly or is otherwise used to render assistance to other vehicles.
[Amended by 1973 c.310 §2]

483.028 "Traffic," "traffic control signal" and "trailer" defined. As used in this chapter, except where the context otherwise requires:

(1) "Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, trolley and motor busses and other conveyances, either singly or together, using any street or highway for purposes of travel.

(2) "Traffic control signal" means any device, whether manually, electrically or mechanically operated, by which traffic is directed.

(3) "Trailer" means every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

483.030 "Tread," "trolley bus," "truck tractor" and "vehicle" defined. As used in this chapter, except where the context otherwise requires:

(1) "Tread" means that part of the outer circumference of a wheel or tire or outer face of a track that comes in contact with the surface of the road or, if a sled, that part of the runner that comes in contact with the surface of the road.

(2) "Trolley bus" means every vehicle propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(3) "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle or load, or both, as drawn.

(4) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

GENERAL PROVISIONS

483.032 Applicability of chapter to government vehicles and persons, vehicles working on a street or highway, and farm vehicles. (1) The provisions of ORS 483.002 to 483.040, 483.042 to 483.048, 483.050 to 483.065, 483.102 to 483.140, 483.202 to 483.230, 483.302 to 483.318, 483.326 to 483.338, 483.345, 483.362 to 483.366, 483.402 to 483.444, 483.446 to 483.456, 483.457,

483.458, 483.538, 483.540, 483.602 to 483.612, 483.620, 483.775 to 483.790, 483.990, 483.991 and 483.992 that are applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the United States, this state or any county, city, district or any other political subdivision of the state, subject to such specific exceptions as are set forth in the motor vehicle laws of this state with reference to authorized emergency vehicles.

(2) The provisions of the sections enumerated in subsection (1) of this section do not apply to persons, motor vehicles and other equipment while operated within the immediate construction project, as described in the governmental agency contract, in the construction or reconstruction of a street or highway, but shall apply to such persons and vehicles when traveling to or from such construction project.

(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]

483.034 Application of chapter to bicyclists and to persons riding, driving or leading animal. Every person riding a bicycle or an animal upon a roadway and every person driving or leading any animal is subject to the provisions of this chapter applicable to the driver of a vehicle, except those provisions which by their very nature can have no application.

483.036 Provisions of chapter to be applicable, uniform and controlling throughout state, including ocean shore. (1) The provisions of this chapter shall be applicable and uniform throughout this state and in all political subdivisions and municipalities therein and no local authority shall enact or enforce any rule or regulation in conflict with the provisions of this chapter.

(2) The laws of this state relative to the rules of the road and the regulation of motor vehicles using the public highways of the state shall apply to all portions of the shore of the ocean which have been or may hereafter be declared to be a state recreation area. Law enforcing agencies vested with authority to enforce such laws shall likewise be vested with authority to enforce the provisions of ORS 483.124.

[Amended by 1965 c.368 §8]

483.038 Effect of chapter on permissive use of private roadway. Nothing in this chapter shall prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as a matter of right, from prohibiting such use, or from requiring different or additional conditions than those specified in this chapter, or otherwise regulating such use as may seem best to such owner.

483.040 Authority of Department of Transportation to mark highways and control traffic; authority of Public Utility Commissioner regarding railroad-highway crossings. (1) The department is authorized to classify, designate and mark both intrastate and interstate highways lying within the boundaries of this state and to provide a uniform system of marking and signing such highways under the jurisdiction of this state. Such system of marking and signing shall correlate with and so far as possible conform to the system adopted in other states.

(2) Except at railroad-highway grade crossings, the department is authorized to determine the character or type of traffic control signals to be used, and to place or erect them upon state highways, at places where the department deems necessary for the safe and expeditious control of traffic. So far as practicable, all such traffic control signals shall be uniform as to type and location. Except at railroad-highway grade crossings, no traffic control signals shall be erected or maintained upon any state highway by any authority other than the department, except with its written approval.

(3) The Public Utility Commissioner is vested with exclusive jurisdiction over the installation of protective devices at railroad-highway grade crossings.

[Amended by 1973 c.615 §3]

483.041 Regulating use of freeway by parades, pedestrians; "freeway" defined. (1) The department or a local authority, with respect to a freeway or a portion thereof under their respective jurisdictions, may by order, ordinance or resolution prohibit or restrict the use of the freeway:

(a) By parades or nonmotorized traffic; or

(b) By pedestrians except to obtain

emergency services for a disabled motor vehicle that is on the freeway.

(2) Such prohibitory regulation shall be effective when appropriate signs giving notice thereof are erected upon any freeway and the approaches thereto, and when such signs have been so erected no person shall disobey the restrictions stated on such signs.

(3) As used in this section, "freeway" means a highway to which all rights of access have been acquired by the public authority having jurisdiction of the highway.
[1967 c.319 §2]

483.042 Powers of local authorities in controlling traffic. (1) Local authorities, except as specifically authorized in this chapter, shall have no power or authority to alter any of the regulations declared in this chapter, or to enact or enforce any rule or regulation contrary to the provisions of this chapter.

(2) Local authorities shall have power to provide by ordinance for the regulation of traffic by means of traffic officers, semaphores or other signal devices on any portion of the highway where traffic is heavy or continuous, may prohibit other than one-way traffic upon certain highways, and may regulate the use of the highways by processions or assemblages. Where one-way traffic is provided for, such authorities shall erect and maintain suitable signs at reasonable intervals upon the highway informing the public of such fact. All such signs shall be so placed as to be visible to the driver of an approaching vehicle.

(3) Local authorities may regulate the speed of vehicles in public parks and shall erect at all entrances to such parks adequate signs giving notice of any special speed regulations.

(4) It is a valid defense in any prosecution for a violation of this section that the highway was not signed as required in this section.

483.043 Authority of municipalities to designate one-way streets, roads or highways. The municipal authorities of any incorporated city or town may designate any street, road or highway within the corporate limits of an incorporated city or town under their jurisdiction as a one-way street, road or highway upon which vehicular traffic is permitted to move in one direction only, but shall not designate as a one-way street, road or highway any street, road or highway under the jurisdiction of the Department of Transportation or any county, without the written consent of the department or the county court or board of county commissioners, as the case may be.
[1953 c.186 §1]

483.044 Erection of signs by local authorities; control by Department of Transportation. (1) Subject to the authority vested in the Department of Transportation, local authorities in their respective jurisdictions shall erect and maintain appropriate signs designating business and residence districts; such other signs, markings and traffic control signals as are deemed necessary to direct and regulate traffic and to carry out the provisions of this chapter; and such additional signs as may be appropriate to give notice of local parking and other special regulations.

(2) The erection and maintenance of such signs, markers and signals by the department or local authorities shall be deemed an administrative act to be performed under general authority by the department or local authorities. In the case of local authorities, the erection and maintenance of such signs, markers and signals shall be performed by the agency of such authority charged with traffic engineering or traffic law enforcement.

(3) Except in cities of over 50,000 inhabitants, the department shall have general supervision with respect to the erection by local authorities of official traffic signs and signals, for the purpose of obtaining, so far as practicable, uniformity as to type and location of such signs and signals throughout the state, and no local authority shall place or erect any traffic signs, signals or markings unless of a type conforming to specifications and at locations approved by the department.
[Amended by 1959 c.124 §2; 1973 c.615 §4]

483.045 Restricting of animal traffic to bridle paths. Each incorporated community within the State of Oregon shall have power, by law or ordinance, duly enacted, to regulate the use of its streets by horses and other animals to the extent that bridle paths may be designated upon certain streets and such animals be prohibited upon other streets.
[1959 c.350 §1]

483.046 Permitting vehicle to be unlawfully operated. No owner, lessor or lessee of a motor vehicle or any person employing or

otherwise directing the driver of a motor vehicle shall knowingly permit or require the operation of the motor vehicle upon a public highway when the vehicle is equipped otherwise than as required or permitted by law or is in excess of a weight permitted by law, or the operation of any vehicle in any manner contrary to law.

483.048 Duty to obey traffic officers; uniform or badge required. (1) No person shall refuse or fail to comply with any lawful order, signal or direction of any traffic or police officer displaying his star or badge and invested by law with authority to direct, control or regulate traffic.

(2) Every officer seeking to enforce the speed laws of this state shall be in uniform or have conspicuously displayed upon his person a conspicuous badge indicating his official authority.

483.049 Fleeing or attempting to elude traffic or police officer when signaled to stop. (1) Any person, while driving a vehicle on any highway in this state, who knowingly flees or attempts to elude any traffic or police officer after having received any signal from a traffic or police officer to bring the vehicle to a stop, shall be punished, upon conviction, by imprisonment in the county or municipal jail for not more than six months, or by a fine of not more than $2,000, or both. For purposes of this section, a "police officer" means a member of the Oregon State Police, a sheriff or deputy sheriff, or a city policeman, in appropriate police uniform or who is operating a police vehicle appropriately marked with the customary insignia identifying it as a police vehicle.

(2) After a traffic or police officer has given any signal to any person driving a vehicle on any highway in this state to bring the vehicle to a stop, the following shall be prima facie evidence of violation of subsection (1) of this section:

(a) Interfering with or endangering the operation of any police vehicle;

(b) Increasing speed; or

(c) Extinguishing the vehicle's lights.

[1963 c.510 §2]

483.050 Unlawful to drive defectively or unlawfully equipped vehicle; police permitted to stop vehicles and make inspections. (1) No person shall drive or move and no owner shall cause or knowingly permit to be driven or moved on any street or highway, any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter.

(2) A police officer, upon reasonable cause to believe a person is driving or moving a vehicle or combination of vehicles on a street or highway in violation of subsection (1) of this section, may require the driver to stop and submit the vehicle or combination of vehicles to an inspection or tests by the officer as may be appropriate to determine if there is a violation of subsection (1) of this section.

(3) A state police officer may require a person driving a vehicle or combination of vehicles on a street or highway to stop and submit the vehicle or combination of vehicles to an inspection of the mechanical condition and equipment thereof at any location where members of the Oregon State Police are conducting tests and inspections of vehicles and when signs are displayed requiring such stop.

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

[Amended by 1967 c.212 §1; 1969 c.496 §1]

483.052 Motor Vehicles Division to assist schools in promoting highway safety. The Motor Vehicles Division shall assist accredited schools and educational institutions of this state in the promotion of highway safety and shall carry on with other activities under the laws providing for the registration of motor vehicles and motor vehicle operators and chauffeurs, other projects having for their purpose the prevention of motor vehicle accidents.

483.054 Inspection of vehicles. The Motor Vehicles Division may at any time inspect any vehicle to determine its compliance with the equipment and other provisions of this chapter.

[Amended by 1955 c.287 §30]

483.060 Vehicle equipment inspection; stickers. (1) The Superintendent of State Police may provide stickers or other devices and make and enforce regulations with respect to the issuance of stickers or other

devices to be displayed upon vehicles or combinations of vehicles as evidence that the vehicles have been inspected and have been found to be equipped as required by this chapter.

(2) A sticker or other device issued by the Oregon State Police shall be placed on the windshield or some other part of the vehicle by the officer issuing the sticker or device when the vehicle is inspected in accordance with subsection (3) of ORS 483.050 and found to be equipped as required by this chapter. The sticker or device shall be valid for a period not to exceed six months.
[1969 c.496 §3]

483.065 Notice of equipment violation; repair or adjustment required within 15 days. (1) If a vehicle inspected under subsection (3) of ORS 483.050 is found to be in violation of any equipment provision contained in this chapter, the police officer may give a written notice to the driver. The notice shall require that the vehicle be placed in a safe condition and its equipment in proper repair and adjustment specifying the particulars with reference thereto and that approval of the repair or adjustment be obtained within 15 days. The officer may in lieu of the issuance of the notice or in combination therewith issue a citation or written warning for violation of this chapter.

(2) Every owner or driver, upon receiving a notice as provided by subsection (1) of this section, shall comply therewith and shall within 15 days secure approval from the State Police. Approval may be obtained by presenting satisfactory proof to any office of the Oregon State Police that the defect has been corrected. In lieu of compliance with this section the vehicle shall not be operated upon the highways of this state. This section is not intended to preclude the issuance of citations for equipment violations if repair or adjustment is not perfected within 15 days.
[1969 c.496 §4]

SPEED REGULATIONS AND TRAFFIC SIGNALS

483.102 Basic speed rule. No person shall drive a vehicle upon a highway at a speed greater than is reasonable and prudent, having due regard to the traffic, surface and width of the highway, the hazard at intersections and any other conditions then existing.
[Amended by 1971 c.340 §1]

483.104 Maximum speeds, exceeding which is prima facie evidence of violation. Any speed in excess of the speeds designated in this section or under ORS 483.106 or 483.108 shall be prima facie evidence of violation of ORS 483.102. The speeds designated in this section are:

(1) Twenty miles per hour:

(a) When passing school grounds when children are present, or a crosswalk when children are present, if notice of such grounds or crosswalk is indicated plainly by signs or signals conforming to ORS 483.044.

(b) When approaching within 100 feet of a grade crossing of a railway, interurban railway or street railway where the driver's view of the crossing or of any traffic on such railway within a distance of 400 feet in either direction is obstructed.

(c) In any business district.

(d) Upon approaching within 50 feet and in traversing an intersection of highways where the driver's view in either direction along any intersecting highway within a distance of 200 feet is obstructed, except that when traveling upon a through street or at traffic-controlled intersections the district speed applies.

(2) Twenty-five miles per hour:

(a) In any residence district.

(b) In public parks within cities, unless a different speed is designated by local authorities and duly posted.

(3) Fifty-five miles per hour in other locations.
[Amended by 1953 c.38 §2; 1955 c.38 §1; 1959 c.124 §3; 1973 c.193 §1]

483.106 Special speed limits set by department. Whenever the department determines, upon the basis of an engineering and traffic investigation, that any speed designated in ORS 483.104 is greater or less than is reasonable or safe under the conditions found to exist upon any state highway, or section thereof, not within the corporate limits of any city, the department may designate a different speed thereupon, which shall be effective when appropriate signs giving notice thereof are erected upon such highway.

483.108 State Speed Control Board; appointment, vacancy, compensation and expenses of certain member; board to set speed limits. (1) There hereby is created the State Speed Control Board, consisting of the Administrator of the Motor Vehicles Division of

the Department of Transportation, the Superintendent of the Department of State Police, the chairman of the Department of Transportation and one additional member appointed by the Governor as provided in subsection (2) of this section for a term of two years. The Administrator of the Motor Vehicles Division of the Department of Transportation, the Superintendent of the Department of State Police and the chairman of the Department of Transportation may each designate a representative to serve in his place.

(2) In appointing the one additional member of the State Speed Control Board, the Governor shall choose a representative of the interests of cities. The League of Oregon Cities may nominate five persons for appointment as the board member representing interests of cities. The Governor shall appoint one of the persons so nominated or some other person as the board member to represent the interests of cities. A vacancy in the office of the additional member shall be filled by appointment by the Governor as provided in this subsection for a two-year term.

(3) The board member appointed under subsection (2) of this section is entitled to compensation and expenses as provided in ORS 292.495.

(4) The board has authority to make or cause to be made, and, if requested by any county court or board of county commissioners of any county, or municipal authority of any city, shall make or cause to be made an engineering and traffic investigation with respect to the designated speeds provided for in ORS 483.104 applicable to any county road or city street, or section thereof. If upon such investigation the board finds that the designated speed is greater than is reasonable or safe or less than is reasonable under the conditions found to exist thereon, the board after due notice and opportunity for hearing to the county commissioners or municipal authority affected thereby shall give written notice to such county court or board of county commissioners or city or town of any proposed deviation from such designated speeds. Such county court or board of county commissioners or city or town shall, within 30 days after receipt of such written notice, file with such speed control board a written statement of objections to such proposed deviation and may request a hearing thereon. No such deviation shall be ordered until such written objections have been considered by the board or such requested hearing has been held on not less than five days' notice. The board thereupon may designate different speeds, which shall be effective when appropriate signs giving notice thereof are erected upon such road or street.

[Amended by 1953 c.187 §2; 1957 c.357 §1; 1969 c.314 §55]

483.110 Payment of expenses of board and of expenses in establishing special speed limits. The per diem, travel and other expenses of the additional member of the State Speed Control Board authorized to be paid by ORS 483.108 and the expense of any engineering and traffic investigation made pursuant to ORS 483.106 or 483.108 shall be borne by the department and paid for from the State Highway Fund. The expense of erecting any signs pursuant to such sections shall be borne by the agency having jurisdiction over the street or highway. All such signs shall comply with ORS 483.044.

[Amended by 1957 c.357 §2]

483.112 Designation of speed in complaint; speed trap evidence not admissible; use of radar; arrest without warrant in radar cases. (1) In every charge of violation of the law as to speed, consisting of or including a violation of ORS 483.102, the complaint and the summons or notice to appear shall specify the speed at which the defendant is alleged to have driven, and the speed designated for the district or location. If a charge also is made of violation of any other provision of this chapter, the complaint and the summons or notice to appear also shall specify such other offense alleged to have been committed.

(2) No evidence as to the speed of a vehicle operated on a highway by any person arrested for violation of any law regulating the speed of vehicles shall be admitted in any court at the consequent trial of such person, when such evidence relates to or is based upon the maintenance or use of a speed trap.

(3) A speed trap, within the meaning of this section, is a particular section of, or distance on, any highway the length of which has been or is measured for distance and marked off or otherwise designated or determined, and the limits of which are within the vision of an officer who calculates the speed of a vehicle by using the elapsed time during which the vehicle travels between the entrance and exit of such measured and marked area.

(4) The use of radiomicro waves or other electrical device shall not be deemed to be a speed trap within the meaning of this section. When the speed of a vehicle has been checked by radiomicro waves or other electrical device, the driver of the vehicle may be arrested without a warrant if the arresting officer is in uniform and has either:

(a) Observed the recording of the speed of the vehicle by the radiomicro waves or other electrical device; or

(b) Received, from the officer who has observed the speed of the vehicle recorded by the radiomicro waves or other electrical device, a radio message giving the license number of the vehicle and the recorded speed, dispatched immediately after the speed of the vehicle was recorded.

[Amended by 1955 c.462 §1; 1973 c.208 §1]

483.114 Minimum speed regulation. It shall be unlawful for a person to drive a motor vehicle, or combination of motor vehicles, upon an arterial highway at such a slow speed as to impede or block the normal and reasonable movement of traffic, except:

(1) When a reduced speed is necessary for safe operation, having due regard to the traffic, surface and width of the highway, condition of the motor vehicle, or combination of motor vehicles, the hazard at intersections, and any other conditions then existing; or

(2) When the motor vehicle, or combination of motor vehicles, necessarily, or in compliance with law, must proceed at a reduced speed; or

(3) When a reduced speed is in compliance with police direction.

[Amended by 1957 c.394 §1]

483.116 Maximum speeds for trucks, busses and other vehicles. (1) No vehicle, when equipped with solid tires, shall be operated or moved over or upon the public highways, roads or streets of this state at any greater rate of speed than specified in the following classification and schedule:

Total tire width	Miles per hour
Not over 14 inches	25
Over 14 inches and not over 16 inches	20
Over 16 inches and not over 22 inches	18
Over 22 inches and not over 30 inches	16
Over 30 inches	12

(2) No vehicle, when equipped with metal tires, shall be operated or moved over or upon the public highways, roads or streets of this state at any greater rate of speed than specified in the following classification and schedule:

Combined weight	Miles per hour
2,500 pounds or less	10
Over 2,500 pounds and not over 5,000 pounds	8
Over 5,000 pounds and not over 7,000 pounds	6
Over 7,000 pounds prohibited except by permission granted by the department, with respect to state highways, or the county court or board of county commissioners with respect to highways under their jurisdiction.	

(3) Motor trucks, when equipped with pneumatic tires, shall be subject to the provisions of ORS 483.102; but the maximum speed for such trucks on any street, road or highway shall be 50 miles per hour, except that on an interstate highway on which a speed, greater than the speed designated by subsection (3) of ORS 483.104, has been designated under ORS 483.106 or 483.108, the maximum speed for such trucks shall be 60 miles per hour. As used in this subsection, "interstate highway" means a highway that is part of the National System of Interstate and Defense Highways established pursuant to section 103(d), title 23, United States Code. This subsection does not apply to ambulances or hearses.

(4) Motor busses, trolley busses, school busses as defined in ORS 485.010, worker transport busses as defined in ORS 485.010, and vehicles, commonly known as highway post-office busses, designed and used for transporting United States mail and postal clerks, shall be subject to the provisions of ORS 483.102; but the maximum speed for such busses on any street, road or highway shall be 55 miles per hour, except that on any highway, street or road on which a greater speed has been designated by the Department of Transportation under ORS 483.106 or by the State Speed Control Board under ORS 483.108 and on which appropriate signs giving notice thereof are erected, the maximum speed for motor busses and highway post-office busses shall be 65 miles per hour or the speed so designated, whichever is less.

[Amended by 1955 c.38 §2; 1957 c.145 §1; 1961 c.546 §7; 1963 c.425 §1; 1965 c.180 §1; 1965 c.415 §1; 1969 c.402 §1; 1971 c.607 §1]

483.118 Speed on public bridge, causeway or viaduct. (1) The department upon request from any local authorities shall, or upon its own initiative may, conduct an investigation of any public bridge, causeway or viaduct. If it finds that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this chapter, the department shall determine and declare the maximum speed of vehicles which such structure can withstand, and shall cause or permit suitable signs stating such maximum speed to be erected and maintained at a suitable distance before each end of such structure. The findings and determination of the department shall be conclusive evidence of the maximum speed which can with safety to any structure be maintained thereon.

(2) No person shall drive any vehicle upon any public bridge, causeway or viaduct at a rate of speed greater than that established under subsection (1) of this section and evidenced by signs posted in accordance with that subsection.

483.120 Application of speed regulations and traffic signs and signals to emergency vehicles; warning devices. (1) Subject to subsections (2), (3) and (4) of this section, the speeds designated in or pursuant to ORS 483.102 to 483.118 and 483.345 and the provisions of ORS 483.128, 483.130 and 483.136 do not apply to authorized emergency vehicles. However, this subsection does not operate to relieve the driver or chauffeur of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highways.

(2) (a) No driver or chauffeur of an authorized emergency vehicle that is an ambulance shall exceed any speed designated in or pursuant to ORS 483.104 to 483.118 by more than 10 miles an hour. Compliance with this paragraph does not operate to relieve the driver or chauffeur of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highways.

(b) No driver or chauffeur of an authorized emergency vehicle that is an ambulance shall proceed without stopping where any vehicle not an authorized emergency vehicle is required by a traffic sign or traffic control signal to stop or to remain standing. Compliance with this paragraph does not relieve the driver or chauffeur of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highways.

(c) Subject to paragraph (b) of this subsection, no driver or chauffeur of an authorized emergency vehicle that is an ambulance shall exceed, in an intersection for which there is a traffic control signal, any speed designated in or pursuant to ORS 483.104 to 483.118. Compliance with this paragraph does not operate to relieve the driver or chauffeur of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highways.

(3) No person, without reasonable grounds to believe that delay of an ambulance will jeopardize human life, shall operate on that ambulance any siren or other audible signal or any warning light prescribed by the Motor Vehicles Division under ORS 483.437.

(4) No person shall drive an authorized emergency vehicle upon a highway at a speed greater than is reasonable and prudent, having due regard to the traffic, surface and width of the highway, the hazard at intersections and any other conditions then existing.

[Amended by 1955 c.598 §1; 1959 c.407 §1; 1961 c.547 §1; 1973 c.407 §20]

Note: The amendments to 483.120 and 483.121 made by chapter 407, Oregon Laws 1973, become operative July 1, 1974.

483.121 Record required when ambulance used; preservation; inspection. (1) When an ambulance is used as an authorized emergency vehicle, the driver or chauffeur shall, within 24 hours after such use, cause to be made and signed by him a record of so much of the following as becomes known to him:

(a) The time of day and the date when ambulance service was requested.

(b) The name of the ambulance driver or chauffeur and the names of the emergency medical technicians as defined in ORS 485.500 who provided the service, one of whom may be the driver.

(c) The name and address of any individual to be transported.

(d) Any reason to believe the life of the individual is jeopardized by delay of the ambulance.

(e) The location from which the individual is to be transported.

(f) The name and address of any person who requested the ambulance service.

(g) The time of day when service for the individual is begun and ended.

(2) The owner of any ambulance shall cause any record made pursuant to subsection (1) of this section to be preserved for not less than seven years.

(3) Upon demand of any district attorney the custodian of any record made pursuant to subsection (1) of this section shall make the record available to that district attorney for the purpose of investigating any alleged violation of ORS 483.120 by a driver or chauffeur of an ambulance.

(4) The record shall also be made available to any authorized representative of the division who wishes to inspect the record for purposes of ascertaining identities of emergency medical technicians as defined in ORS 485.500.

[1961 c.547 §3; 1973 c.407 §21]

Note: See note after 483.120.

483.122 Speed races prohibited on public ways; publishing or advertising results. (1) No race or contest for speed shall be held upon any road, street or highway in this state.

(2) No manufacturer, dealer, distributor or other person shall publish or advertise, offer for publication or advertisement or consent or be a party to the publication or advertisement of the time consumed or speed attained by a motor vehicle between fixed points or over given or designated distances upon the public highways of this state. where such time or speed would indicate or show a violation of the speeds designated in or pursuant to ORS 483.102 to 483.118 and 483.345.

483.124 Maximum speed on ocean shore. (1) Notwithstanding any other provision of law by which the speed of motor vehicles using the public highways is fixed and determined, the maximum speed of any vehicle or conveyance on any part of the ocean shore is 25 miles per hour.

(2) Whenever the department determines upon the basis of an engineering and traffic investigation that the speed of 25 miles an hour is greater than is reasonable or safe under the conditions found to exist with respect to any part of the ocean shore, the department may establish a maximum speed of less than 25 miles per hour on any specified section of such shore.

483.126 Signals for starting, stopping, changing lanes or turning on highway. (1) The driver of any vehicle upon a highway before starting, stopping, changing lanes or turning from a direct line shall first see that such movement can be made in safety. If any pedestrian may be affected by such movement the driver shall give a clearly audible signal by sounding the horn. Whenever the operation of any other vehicle may be affected by such movement he shall give a proper signal which is plainly visible to the driver of such other vehicle of the intention to make such movement.

(2) The signal required by subsection (1) of this section shall be given either by means of the hand and arm or by an approved mechanical or electrical signal device. However, a vehicle or combination of vehicles shall be equipped with, and the required signals shall be given by, a mechanical or electrical signal device of a type approved by the Motor Vehicles Division when:

(a) A vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible both to the front and rear; or

(b) The distance from the center of the top of the steering post to the left outside limit of the body, cab or load of the vehicle or combination of vehicles exceeds 24 inches; or

(c) The distance from the center of the top of the steering post to the rear limit of the body or load of any vehicle or combination of vehicles exceeds 14 feet.

(3) Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to:

(a) Turn to the left by extending his hand and arm horizontally from and beyond the left side of the vehicle.

(b) Turn to the right by extending his hand and arm upward and beyond the left side of the vehicle.

(c) Stop or suddenly decrease speed by extending his hand and arm downward from and beyond the left side of the vehicle.

(4) The signal required to be given before turning to the right or left shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning.

(5) Except when being drawn during the times mentioned in ORS 483.402, trailers, semitrailers, and pole trailers of 3,000 pounds gross weight or less are not required to be equipped with signal devices unless such vehicle is so constructed or loaded as to prevent a hand and arm signal from the motor vehicle drawing such trailer, semitrailer or pole trailer from being visible from the rear.

[Amended by 1955 c.143 §1; 1957 c.691 §1; 1965 c.104 §1; 1971 c.252 §1]

483.128 Duty to obey traffic markers, signs and signals. No driver of any vehicle or motorman of any streetcar shall disobey the instructions of any official traffic marker, button, channelizing island, sign or signal placed in accordance with the provisions of this chapter, unless otherwise directed by a police officer.
[Amended by 1965 c.121 §2]

483.130 Effect of "Go," "Caution" and "Stop" signals. Whenever traffic is controlled by traffic control signals exhibiting the words "Go," "Caution" or "Stop" or exhibiting different colored lights successively one at a time, or with arrows, said lights, arrows and terms shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green alone or "Go." Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits such turn, but vehicular traffic shall yield the right of way to pedestrians and other vehicles lawfully within a crosswalk or the intersection at the time such signal is exhibited. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk unless prohibited from doing so by other signs or signals.

(2) Yellow alone or "Caution" when shown following the green or "Go" signal. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection or at such other point as may be designated by the proper traffic authority. However, if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection. No pedestrian facing such signal shall enter the roadway.

(3) Red alone or "Stop." Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be designated by the proper traffic authority. Except as provided in ORS 483.132, such traffic shall remain standing until green or "Go" is shown alone. No pedestrian facing such signal shall enter the roadway.

(4) Red with green arrow. Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall not interfere with other traffic or endanger pedestrians lawfully within a crosswalk. No pedestrian facing such signal shall enter the roadway.

(5) Green arrow alone. Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall not interfere with other traffic or endanger pedestrians lawfully within a crosswalk. Pedestrians facing such signal may proceed across the roadway within any marked or unmarked crosswalk unless prohibited from doing so by other signs or signals.
[Amended by 1953 c.17 §2]

483.132 Turning vehicles at intersections when signal is "Go" or "Stop." The driver of a vehicle or the motorman of a streetcar or trolley bus intending to turn to the right or left at an intersection where traffic is controlled by traffic control signals or by a police officer, unless otherwise directed by a police officer or by official traffic signs or special signals:

(1) Upon the green or "Go" signal alone, shall proceed to make either turn with proper care to avoid accident.

(2) Upon the red or "Stop" signal alone, may, after stopping, cautiously proceed to make a right turn into a two-way street, or either a right or left turn into a one-way street in the direction of traffic upon the one-way street, with proper care to avoid accident.

483.134 Effect of "Walk" and "Wait" or "Don't Walk" signals. Pedestrian control signals exhibiting the words "Walk," "Wait" or "Don't Walk" shall indicate as follows:

(1) "Walk." Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all vehicles.

(2) "Wait" or "Don't Walk." No pedestrian shall start to cross the roadway in the direction of either signal. Any pedestrian who has partially completed his crossing on the "Walk" signal shall proceed to a sidewalk or safety island while the "Wait" or "Don't Walk" signal is showing.
[Amended by 1961 c.254 §1]

483.136 Effect of flashing signals. Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows:

(1) When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at such other point as may be designated by the proper traffic authority. The right to proceed is

subject to the rules applicable after making a stop at a stop sign.

(2) When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

483.138 Certain signs prohibited along highways. (1) No person shall place, maintain or display upon or in view of any street or highway, any unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which bears the words "Stop," "Go Slow," "Caution," "Danger," "Warning" or similar words, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic sign or signal.

(2) No person shall erect or maintain upon any street or highway any traffic or highway sign or signal bearing thereon any commercial advertising.

(3) This section does not prohibit the erection or maintenance of signs, markers or signals bearing thereon the name of an organization authorized to erect the same by the appropriate public authority.

(4) Every prohibited sign, signal or device is hereby declared to be a public nuisance, and the authority having jurisdiction over the highway may remove it, or cause it to be removed, without notice.

483.140 Damaging or removing sign or signal. No person shall deface, injure, knock down or remove any official traffic sign or signal placed or erected as provided in this chapter.

RIGHT OF WAY

483.202 Right of way at merging lanes, intersection. (1) The driver of a vehicle entering a freeway or other arterial highway where an acceleration or merging lane is provided for his use shall look out for and give right of way to vehicles on the freeway or other arterial highway.

(2) Drivers, when approaching other uncontrolled highway intersections, shall look out for and give right of way to vehicles on the right, simultaneously approaching a given point, whether such vehicle first enters and reaches the intersection or not.

(3) Subsections (1) and (2) of this section do not apply at any intersection where and when traffic is controlled by traffic control signals, signs or police officers. Any driver entering an intersection at an unlawful speed shall forfeit any right of way he would otherwise have under subsection (1) or (2) of this section.

(4) The driver of any vehicle who has stopped or who has yielded the right of way as required by an official traffic sign at the entrance to a through highway shall yield to the other vehicles within the intersection or approaching so closely on the through highway as to constitute an immediate hazard. Having so yielded, such driver may proceed, and other vehicles approaching the intersection on the through highway shall yield to the vehicle so proceeding into or across the through highway.

(5) The driver of a vehicle within an intersection intending to turn to the left shall yield to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard. Having so yielded and having given a signal when and as required by law, the driver may make such left turn, and other vehicles approaching the intersection from the opposite direction shall yield to him.
[Amended by 1961 c.660 §2; 1969 c.426 §1]

483.204 Stop signs or markers at entrances to main or through highways or at intersections. (1) The department with reference to state highways, and local authorities with reference to highways under their jurisdiction, may designate main traveled or through highways by placing at the entrances thereto from intersecting highways signs and markers notifying drivers of vehicles to stop or yield the right of way before entering or crossing such designated highways, or may designate particular intersections and place such stop or yield signs and markers at one or more entrances thereto.

(2) Whenever a stop sign or marker has been so placed, the driver of a vehicle approaching from the direction which the sign or marker faces, shall stop in obedience thereto, except where directed to proceed by an officer or traffic control signal.

(3) Whenever a yield sign or marker has been so placed, the driver of a vehicle approaching from the direction which the sign or marker faces, shall reduce speed and shall yield to traffic on the intersecting highway the right to proceed without hazard and without impediment.

(4) A sign or marker placed pursuant to

this section shall conform to specifications approved by the department, and shall be illuminated at night or so placed as to be illuminated by the headlights of approaching vehicles or by street lights.
[Amended by 1957 c.8 §1; 1961 c.660 §1]

483.206 Vehicles leaving or entering private road. (1) Having properly signaled as required by ORS 483.126, the driver of a vehicle making a left turn to enter a private road or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is so close as to constitute an immediate hazard.

(2) The driver of a vehicle entering a public highway from a private road or drive shall stop and yield the right of way to all vehicles approaching on such public highway.

(3) This section does not apply where traffic control signals or other traffic control devices required, authorized or installed by public authority indicate that the driver may proceed without stopping.
[Amended by 1967 c.497 §6; 1969 c.426 §2]

483.208 Stopping to permit emergency vehicle to pass. (1) Upon the approach of any authorized emergency vehicle giving visual or audible signal by bell, siren, exhaust whistle or light, the driver of every other vehicle shall yield the right of way and immediately drive to a position as near as possible and parallel to the right-hand edge or curb of the highway, clear of any intersection of highways, and shall stop and remain in such position unless otherwise directed by a police officer until the authorized emergency vehicle has passed.

(2) The motorman of every street car shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle has passed, unless otherwise directed by a police officer.

(3) This section does not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor does it protect the driver of any such vehicle from the consequences of an arbitrary exercise of such right of way.
[Amended 1973 c.783 §1]

PEDESTRIANS

483.210 Rights of pedestrian when no traffic signals. (1) When traffic control signals, if any, are not in operation, a driver of a vehicle shall stop and yield the right of way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, if the pedestrian is on the half of the roadway on and along which the vehicle is traveling or is approaching such half from the other half of the roadway so closely as to be in danger; but in proceeding to cross, or in crossing, the roadway the pedestrian shall not leave a curb or other place of safety suddenly and move into the path of a vehicle which is so close that it is impossible for the driver to yield.

(2) Any pedestrian crossing a roadway at any point where a pedestrian tunnel or overhead crossing is available for use shall yield the right of way to all vehicles upon the roadway.

(3) Whenever any vehicle has stopped in compliance with this section at a marked crosswalk or at an unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not cause or allow the front end of his vehicle to pass beyond the front end of the stopped vehicle.

(4) Every pedestrian crossing a roadway at any place other than within a marked or unmarked crosswalk shall yield the right of way to vehicles upon the roadway. Local authorities in their respective jurisdictions may by ordinance prohibit any pedestrian from crossing any street or highway at any place other than within a marked or unmarked crosswalk.

(5) This section does not relieve the driver of a vehicle or a pedestrian from the duty to exercise due care.

(6) The department and local authorities in their respective jurisdictions may establish marked crosswalks and designate them upon the street or highway area by proper marking signs or signals, or both, and may close any marked or unmarked crosswalk and prohibit pedestrians from crossing the roadway at such closed crosswalk by erecting proper signs or signals, or both.
[Amended by 1953 c.18 §2]

483.212 Pedestrian's rights when there are traffic officers. (1) At intersections where traffic is controlled by police officers, drivers of vehicles, including those making turns, shall yield the right of way to pedestrians crossing or those who have started to cross the roadway on a "Go" signal; and

pedestrians shall yield the right of way to vehicles lawfully proceeding directly ahead on a "Go" signal.

(2) Local authorities in their respective jurisdictions may by ordinance require that at intersections where traffic is controlled by police officers, pedestrians shall not cross a roadway against a "Stop" signal, provided that where signal changes are augmented by a ringing of a bell, pedestrians shall be permitted to proceed across the roadway upon the ringing of the first bell.

483.214 Rights of blind pedestrian with white cane or dog guide; use of white canes restricted. (1) As used in this section:

(a) "Blind person" means a person who is totally or partially blind.

(b) "Dog guide" means a dog which is wearing a dog guide harness and is trained to lead or guide a blind person.

(c) "White cane" means a cane or walking stick which is white in color or white with a red tip.

(2) A driver of a vehicle approaching a blind pedestrian who is carrying a white cane in a raised or extended position, or is accompanied by a dog guide, shall immediately come to a full stop and take such precaution before proceeding as may be necessary to avoid accident or injury to the pedestrian. Notwithstanding ORS 483.130 to 483.136, where the movement of vehicular traffic is regulated by traffic control signals, if a blind pedestrian has entered the roadway and is carrying a white cane in a raised or extended position or is accompanied by a dog guide, the driver of a vehicle approaching such pedestrian shall yield the right of way to the pedestrian and stop or remain stationary until the pedestrian has vacated the roadway.

(3) No person other than a blind person shall carry or use on the streets, highways and public places of this state a white cane. Such canes may be used on the streets and other public places of the state by blind persons as a means of protecting them and for purposes of identification to drivers of vehicles or street cars, and other pedestrians with whom they may come in contact.

(4) Nothing in this section is intended to deprive a blind person who is not carrying a white cane or is not accompanied by a dog guide of the rights and privileges granted by law to all pedestrians.

[Amended by 1963 c.596 §1]

483.216 Crossing on right half of crosswalk. Pedestrians shall move, whenever practicable, upon the right half of crosswalks.

483.218 Standing in roadway to solicit ride. No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

483.220 Pedestrians to use left-hand side of rural highway. Pedestrians, when using any highway outside of incorporated cities, shall use the left-hand side of such highway so as to leave the right-hand side free for vehicles passing in the same direction and for safety in meeting vehicles proceeding in the opposite direction.

483.222 Stopping before driving onto sidewalk from alley, driveway or building. The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway.

GRADE CROSSINGS

483.224 Stopping at railroad crossings upon signal of approach of train. Whenever any person driving a vehicle approaches a highway and railway or interurban railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car, the driver of the vehicle shall stop the vehicle before traversing such grade crossing.

[Amended by 1959 c.124 §4]

483.226 [Amended by 1959 c.124 §5; repealed by 1973 c.615 §11]

483.228 Busses, and trucks carrying inflammables or explosives, required to stop at railroad crossings. (1) Except as provided in subsections (2) and (3) of this section, the driver of any school bus, as defined in ORS 485.010, any worker transport bus, as defined in ORS 485.010, any motor bus designated for, or carrying passengers for hire, or any motor truck carrying explosive substances or inflammable liquids as a cargo or part of a cargo, before crossing at grade any tracks of a railway or interurban railway, shall stop such vehicle not less than 10 nor more than 50 feet from the nearest rail of such track, and while so stopped shall look

and listen in both directions along such track for approaching trains or cars.

(2) This section does not apply:

(a) At the crossing of a street or highway and street railway tracks;

(b) To interurban electric tracks where traffic control signals are in operation and give indication to approaching vehicular traffic to proceed;

(c) To any railway tracks upon which operation has been abandoned and for which the department has plainly marked that no stop need be made;

(d) To industry track crossings across which train operations are required by law to be conducted under flag protection;

(e) To industry track crossings within districts in which the indicated speed of vehicles is 20 miles per hour; or

(f) To any crossing where an officer, under ORS 483.048, directs traffic to proceed, or where an operating traffic control signal indicates that other traffic may proceed.

(3) Unless a train is approaching, motor vehicles carrying passengers for hire are not required to stop at crossings where the department has determined and plainly marked that no stop need be made. [Amended by 1959 c.124 §6; 1961 c.546 §8; 1971 c.607 §2]

483.230 Moving heavy equipment over railroad tracks. Any person operating any caterpillar tractor, steam shovel, derrick, roller or any equipment or structure having a normal operating speed of four or less miles per hour or a vertical load or body clearance of less than nine inches above the level surface of a roadway shall, before crossing at grade any tracks of a railway or interurban railway, notify a responsible officer of such railway in time for protection to be afforded before crossing such tracks. In crossing such railway tracks he shall first stop such vehicle or equipment not less than 10 nor more than 50 feet from the nearest rail, and while so stopped shall look and listen in both directions along such track for approaching trains or cars. He shall not in any event traverse such crossing when warned by any means of the immediate approach of a railway train or car. [Amended by 1959 c.124 §7]

483.232 [Repealed by 1955 c.294 §3]

483.234 [Repealed by 1955 c.294 §3]

483.236 Stopping vehicles carrying logs, poles or piling at railroad crossings. (1) Upon petition of any railroad or of any interested person, municipal corporation, association, or public agency of this state the Public Utility Commissioner may by order require, after January 1, 1956, motor vehicles transporting logs, poles or piling to stop at railroad crossings at a designated number of feet from the center of the track before proceeding across the same. Such orders may include any or all crossings mentioned in the petition, and may be general, partially general or specific. Such order shall be entered after hearing and if the commissioner finds that public safety or the safety of operation of trains require the same. The provisions of this section shall not apply to any railroad crossing at which automatic crossing protection signals activated by train movements are in operation. Hearings may be held under this section at any time after August 3, 1955.

(2) After any such order is entered by the commissioner, any railroad or any interested person, municipal corporation or public agency may by petition allege that since the entry of the order conditions at such crossing have changed and that public safety and the safe operation of railroad trains no longer require the stopping of such motor vehicles at such crossings. Thereupon the commissioner shall again investigate and conduct a hearing upon the facts as to the crossing or crossings designated in the petition. If upon such investigation and hearing the commissioner finds that public safety and the safety of operation of railroad trains do not require the stoppage of such motor vehicles at any crossing or crossings he shall enter an order to that effect.
[1955 c.294 §1]

PROPER POSITION ON HIGHWAY; MISCELLANEOUS RULES OF ROAD

483.302 Duty to drive on right half of highway. (1) Except as otherwise provided by ORS 483.304, upon all highways of sufficient width, the driver of a vehicle shall drive on the right half of the highway except when:

(a) The right half is out of repair and for that reason is impassable; or

(b) Overtaking and passing another vehicle in accordance with ORS 483.308.

(2) In driving upon the right half of a highway the driver shall drive as close as practicable to the right-hand edge or curb of the highway except when:

(a) Overtaking or passing another vehicle; or

(b) Placing a vehicle in position to make a left turn.

[Amended by 1955 c.249 §1; 1967 c.237 §3]

483.303 Slower-moving vehicle to permit overtaking vehicle to pass. On a highway that has only two lanes for traffic moving in opposite directions, when an overtaking vehicle being operated in conformity with ORS 483.102 does not have a clear lane for passing as required by subsection (1) of ORS 483.308, the driver of a slower-moving, overtaken vehicle shall, at the first opportunity, whenever sufficient area for a safe turnout exists, move the overtaken vehicle off the main-traveled portion of the highway until the overtaking vehicle is safely clear of the overtaken vehicle.

[1967 c.237 §2]

483.304 Position of vehicles on divided highway. Except as otherwise provided by ORS 483.305, whenever any street or highway has been divided into clearly marked lanes for traffic, drivers of vehicles shall obey the following regulations:

(1) A vehicle shall normally be driven in the lane nearest the right-hand edge or curb of the highway when that lane is available for travel except when:

(a) Overtaking another vehicle;

(b) In preparation for a left turn; or

(c) There are two or more clearly marked lanes allocated exclusively to traffic moving in the direction the vehicle is proceeding and such vehicle, if on a highway outside the corporate limits of a city, is moving faster than or passing other traffic moving in the same direction.

(2) A vehicle shall be driven as nearly as is practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(3) Upon a highway which is divided into three lanes a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle or in preparation for a left turn, or unless such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is clearly marked to give notice of such allocation.

(4) Upon a highway which is divided into two or more roadways by means of an unpaved section or by means of a paved section delineated by a curb, guardrail or fence, unless otherwise directed by a police officer:

(a) A vehicle shall proceed only on the right-hand side of the dividing section.

(b) A vehicle shall not be moved or driven across or upon the dividing section except through an opening established by public authority for the use of vehicles.

[Amended by 1955 c.249 §2; 1965 c.17 §1; 1967 c.237 §4; 1973 c.510 §4]

483.305 Use of left-hand lane of roadway by vehicles of 6,000 pounds or more restricted. (1) When a roadway has been divided in such a manner that there are three or more lanes for traffic proceeding in any one direction, no vehicle of 6,000 pounds gross weight or over, campers or vehicles with trailers shall be driven in the extreme left-hand lane, except:

(a) When necessary to enter or leave such roadway;

(b) When reasonably necessary in response to emergency conditions; or

(c) When otherwise indicated or directed by appropriate signs or signals.

(2) When any roadway has been divided in such a manner that there are two lanes for traffic proceeding in any one direction, vehicles having a gross weight of 6,000 pounds or over, campers or vehicles with trailers shall be driven in the right-hand lane. Such vehicles shall not move from the right-hand lane into the left-hand lane until such movement can be made without interfering with the passage of other vehicles.

[1973 c.510 §2]

483.306 Passing vehicles proceeding in opposite direction. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

483.308 When passing is permitted. (1) The driver of a vehicle shall not drive to the left side of the center line of a highway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without impeding the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.

(2) The driver of a vehicle shall not in

any event drive to the left side of the center line of a highway:

(a) When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within such a distance as to constitute a hazard if another vehicle should approach from the opposite direction; or

(b) Upon any highway of sufficient width for four or more lanes of moving traffic unless more than two of such four lanes are at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of such allocation.

(3) The driver of a vehicle shall not overtake and pass any other vehicle proceeding in the same direction at any railway or interurban railway grade crossing or at any intersection of highways, unless such movement can be made in safety.
[Amended by 1959 c.124 §8; 1969 c.215 §1]

483.310 Method of passing. (1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance, and shall not again drive to the right side of the highway until safely clear of such overtaken vehicle.

(2) The driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on suitable and audible signal, and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

(3) Notwithstanding the provisions of subsections (1) and (2) of this section, the driver of a vehicle may overtake and pass another vehicle on the right thereof, when such other vehicle is:

(a) Making, or about to make, a left turn upon a street or highway having space for two or more lanes of traffic moving in the direction such vehicles are proceeding; or

(b) Being driven in the left lane upon a street or highway having two or more clearly marked lanes allocated exclusively to traffic moving in the direction such vehicles are proceeding.
[Amended by 1955 c.249 §3]

483.312 Proper distance when following other vehicles. (1) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard to the speed of such vehicles and the traffic upon and condition of the highway.

(2) The driver of any motor truck or motor bus when traveling upon a highway outside of a business or residence district shall not follow another motor truck or motor bus within 300 feet, but this shall not be construed to prevent one motor truck or motor bus from overtaking and passing another.
[Amended by 1953 c.598 §2]

483.314 Passing horses or other animals. (1) The operator of a motor vehicle shall, when a person riding, leading or driving a horse or other animal:

(a) In the opposite direction signals by raising his hand, bring such motor vehicle immediately to a stop, and remain stationary so long as may be reasonable to allow such animal to pass.

(b) Is traveling in the same direction, use reasonable caution in passing such animal.

(2) If such animal appears badly frightened or the person operating the motor vehicle is signaled so to do, he shall cause the motor of such vehicle to cease running so long as shall be reasonably necessary to prevent accident and insure the safety of others.

483.316 Turns at intersections. (1) Except as provided in subsection (2) of this section, the driver of a vehicle approaching and intending to turn at an intersection shall observe the following rules:

(a) The approach for a right turn shall be made in the lane for traffic nearest to the right-hand side of the highway and the right turn shall be made as close as practicable to the right-hand curb or edge of the highway.

(b) Except as provided in paragraphs (c), (d) and (e) of this subsection, the approach for a left turn shall be made in the lane for traffic to the right of and nearest to the center line of the highway, and the left turn shall be made by passing to the right of such center line where it enters the intersection, and upon leaving the intersection by passing to the right of the center line of the highway then entered. This paragraph does not apply to passenger vehicles actually engaged in loading or unloading passengers at an intersection prior to making a left turn.

(c) The approach for a left turn from a two-way street into a one-way street shall

be made in the lane for traffic to the right of and nearest to the center line of the highway and by passing to the right of the center line where it enters the intersection. Upon leaving the intersection, entry into the one-way street shall be made as close as practicable to the left-hand curb of the street being entered.

(d) The approach for a left turn from a one-way street into a two-way street shall be made in the lane for traffic nearest to the left-hand curb. The turn shall be made by passing to the right of the center line of the street being entered and by driving into the lane for traffic to the right of and nearest to the center line.

(e) The approach for a left turn from a one-way street into a one-way street shall be made in the lane for traffic nearest to the left-hand curb or edge of the highway and the left turn shall be made as close as practicable to the left-hand curb or edge of the highway.

(2) The department or local authorities in their respective jurisdictions, by placing markers, buttons, channelizing islands, signs or signals within or at the approach to intersections, may direct and require that a course different from that specified in subsection (1) of this section be traveled by vehicles making turning movements at, or proceeding through, intersections.

(3) The department or local authorities in their respective jurisdictions may, by placing markers, buttons, channelizing islands, signs or signals at an intersection, prohibit a left or right turn, or both, at such intersection.

[Amended by 1965 c.121 §1]

483.318 U-turns prohibited. The driver of a vehicle shall not turn such vehicle around so as to proceed in the opposite direction:

(1) Upon any curve or upon the approach to or near the crest of a grade;

(2) Upon any street or highway within any incorporated city of this state, between intersections;

(3) Where by the placing of markers, buttons or signs reverse turns have been prohibited by authority of the department or local authorities in their respective jurisdictions; or

(4) At any place upon a highway where the view of such vehicle is obstructed, in either direction, within a distance of 500 feet along the highway within the limits of a city or a distance of 1,000 feet along the highway outside a city.

[Amended by 1969 c.114 §1]

483.320 [Renumbered 483.362]

483.322 [Amended by 1959 c.124 §9; renumbered 483.364]

483.324 [Renumbered 483.366]

483.326 Stopping for streetcars and busses. (1) Except on one-way streets or on streets where the tracks are so located as to prevent compliance, the driver of a vehicle shall not overtake and pass upon the left any streetcar proceeding in the same direction, whether actually in motion or temporarily at rest.

(2) The driver of a vehicle overtaking any streetcar, trolley bus or motor bus stopped or about to stop for the purpose of receiving or discharging any passenger, shall stop such vehicle to the rear of the nearest running board or door of such streetcar or bus and keep it stationary until all passengers have boarded or alighted therefrom and reached a place of safety. However, where a safety zone has been established in the street area, or the trolley bus or motor bus has stopped at the curb, a vehicle need not be stopped before passing such streetcar or bus, but may proceed past it at a speed not greater than is reasonable and proper, and with due caution for the safety of pedestrians. This subsection does not apply to passing upon the left any streetcar, trolley bus or motor bus on a one-way street.

483.328 Driving or crossing in front of streetcars. (1) No driver of any vehicle proceeding upon any streetcar track in front of a streetcar upon a street shall fail to remove such vehicle from the track as soon as practicable after signal from the operator of the streetcar.

(2) When a streetcar has started to cross an intersection, no driver of a vehicle shall drive upon or cross the car tracks, within the intersection in front of the streetcar.

483.330 Following fire apparatus or parking in vicinity of fire. No driver of any vehicle other than one on official business shall follow closer than 500 feet any fire apparatus traveling in response to a fire alarm, or drive into or park such vehicle within two blocks of a point where fire apparatus has stopped in answer to a fire alarm, or within three blocks of a point where a fire is in progress.

[Amended by 1961 c.547 §4]

483.332 Driving vehicle or streetcar over fire hose. No streetcar or vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private driveway or streetcar track, for use at any fire or alarm of fire, without the consent of the fire department in command.

483.334 Driving through or over safety zones. The driver of a vehicle shall not at any time drive through or over a safety zone.

483.336 Coasting upon down grade. The driver of a motor vehicle when traveling upon a down grade upon any highway shall not coast with the gears of such vehicle in neutral, nor shall the driver of a motor truck coast with the clutch of such vehicle disengaged.

483.338 Driving through defiles, canyons, or mountain highways. The driver of a motor vehicle traversing defiles, canyons or mountain highways shall hold such vehicle under control and as near the right-hand side of the highway as reasonably possible, and upon approaching any curve where the view is obstructed within a distance of 200 feet along the highway shall give audible warning with a horn or other warning device.

483.340 [Repealed by 1953 c.124 §2]

483.342 [Repealed by 1953 c.124 §2]

483.343 Operation of vehicle in a careless manner prohibited; issuance of citation; penalty. (1) No person shall operate a vehicle on the highway in a careless manner. As used in this section, "a careless manner" means in a manner that endangers or would be likely to endanger any person or property.

(2) A police officer may arrest or issue a citation to a person for violation of subsection (1) of this section only if the offense was committed in his presence.

(3) A person convicted of violating subsection (1) of this section shall be punished upon conviction by imprisonment for not more than 60 days or by a fine of not more than $250, or both.
[1969 c.628 §1]

Note: ORS 483.343 was not added to and made a part of ORS chapter 483 by legislative action.

483.344 [Repealed by 1953 c.124 §2]

483.345 Exercise of reasonable care in driving required; affect on rules of evidence and pleading; penalty. (1) The driver of any vehicle shall exercise reasonable control of the vehicle which he is driving as may be necessary to avoid colliding with any object. A collision is not necessary in order to be in violation of this section.

(2) Subsection (1) of this section does not change the rules of pleading and evidence relating to negligence and contributory negligence.

(3) A person who violates this section commits a Class C misdemeanor.
[1971 c.340 §3; 1973 c.679 §1]

PARKING

483.346 Authority of Department of Transportation to control parking on state highways. The Department of Transportation shall have exclusive authority to regulate, control or prohibit the parking of motor vehicles upon the right of way of any state highway outside the corporate limits of incorporated cities and towns, and upon the right of way of any section of any state highway within the corporate limits of any incorporated city or town, if access to or from said section of highway and real property abutting thereon was restricted, controlled or prohibited by the department before said section of highway was included within the corporate limits of an incorporated city or town, and if said section of highway was included within the corporate limits of an incorporated city or town by incorporation, annexation or extension of corporate limits occurring after July 21, 1953.
[1953 c.587 §1]

483.347 Parking vehicle on state highway for vending purposes prohibited. No person shall park a vehicle on a right of way described in ORS 483.346 for the purpose of advertising, selling or offering merchandise for sale.
[1959 c.617 §2]

483.348 Entry of department's parking regulations in official records; erecting appropriate signs; regulations as having force of law. (1) All regulations, restrictions or prohibitions imposed by the Department of Transportation under authority of ORS 483.346 shall be by resolution or order entered in official records of the Department of Transportation.

(2) The department shall place and maintain appropriate signs or markings giving notice of all such regulations, restrictions or prohibitions at such places as may be necessary to inform the public, and such

regulations, restrictions or prohibitions shall be effective and shall have the force of law when the signs or markings giving notice thereof have been placed.
[1953 c.587 §3]

483.350 Authority of municipalities to control parking on state highways. Except as provided in ORS 483.346, the municipal authorities of incorporated cities and towns shall have exclusive authority to regulate, control or prohibit the parking of motor vehicles upon the right of way of any state highway within the corporate limits of an incorporated city or town, and upon any city street selected and designated as the route of a state highway pursuant to the provisions of ORS 373.010, but shall not authorize or require angle or diagonal parking upon any such street or highway without the written consent of the Department of Transportation when a competent traffic survey made by either the Department of Transportation or the city discloses that such street or highway is too narrow to permit angle or diagonal parking and the safe and expeditious movement of traffic.
[1953 c.587 §2]

483.352 Definitions for ORS 483.352 to 483.356. As used in ORS 483.352 to 483.356, unless the context requires otherwise:

(1) "Disabled person" means a person who is so severely physically and permanently disabled as to be unable to move from place to place without the aid of a wheel chair or who because of paralysis or loss of function of his legs is not able to cross curbs or walk further than 100 feet, or who is missing one or both legs.

(2) "Marked motor vehicle" means a motor vehicle registered to a disabled person and conspicuously displaying the decal, insignia or plates issued under the provisions of ORS 483.356.
[1963 c.525 §1; 1973 c.219 §1; 1973 c.302 §1]

483.354 Disabled persons may without penalty park overtime in zones where parking permitted one hour or more; exceptions. (1) Notwithstanding the provisions of ORS 483.346 and 483.350 or the parking restrictions imposed by any city or county ordinance, a disabled person, if he complies with the provisions of ORS 483.352 to 483.356, may:

(a) When parallel parking next to a curb is provided, park a marked motor vehicle in any parking zone restricted to not less than one hour as to the length of time parking is permitted therein without incurring the penalties imposed for overtime parking in such zones; and

(b) When other than parallel parking is provided, park a marked motor vehicle in any parking zone at the end of the block or next to an alley or curb ramp without incurring the penalties imposed for overtime parking in such zones.

(2) The provisions of subsection (1) of this section do not apply to parking in zones where stopping, parking or standing of all motor vehicles is prohibited, to parking where late evening or overnight parking is prohibited or to parking in zones reserved for special types of motor vehicles or activities.
[1963 c.525 §2; 1973 c.302 §2]

483.356 Marking vehicle of disabled person for purposes of ORS 483.354. (1) The Motor Vehicles Division shall issue without charge a special decal, identifying insignia or plates for a marked motor vehicle to any disabled applicant upon submission by the applicant of a certificate by a qualified physician to the division that he is a disabled person within the meaning of ORS 483.352.

(2) The Motor Vehicles Division shall determine the form, size and content of the decal, insignia or plates and promulgate rules and regulations governing their issuance and use necessary to carry out the provisions of ORS 483.352 to 483.356.
[1963 c.525 §3]

483.362 Parking vehicle on highway outside of business or residential district. (1) No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved, improved or main traveled portion of any highway, outside a business or residence district, when it is practicable to park or leave such vehicle standing off such portion of the highway; and in no event shall any person park or leave standing any vehicle, whether attended or unattended, upon any highway unless a clear and unobstructed width of not less than 16 feet upon the main traveled portion of the highway opposite such standing vehicle is left for free passage of other vehicles thereon, nor unless a clear view of such vehicle may be obtained from a distance of 200 feet in each direction upon the highway.

(2) Whenever any police officer finds a

vehicle standing upon a highway in violation of this section, he may move such vehicle or require the driver or person in charge of such vehicle to move it to a position permitted under this section.

(3) This section does not apply to:

(a) The driver of any vehicle which is disabled while on the paved, improved or main traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such position.

(b) Emergency cars or vehicles of the police, traffic or sheriff's office, or the fire department, or ambulances, where such vehicles at the time are actually used in an emergency which necessitates a violation of this section.

(c) A school bus, as defined in subsection (4) of ORS 485.010, which is operating a flashing red warning light and is stopped on the lane available for travel nearest the right-hand edge or curb of a highway for the purpose of loading or unloading school children.

(d) A worker transport bus, as defined in subsection (5) of ORS 485.010, which is operating a flashing red warning light and is stopped on the lane available for travel nearest the right-hand edge or curb of a highway for the purpose of loading and unloading any worker, as defined in ORS 485.310.

(4) Whenever the operator of a wrecker or tow car engaged in the salvaging of another vehicle finds it necessary to stop his vehicle so as to obstruct the roadway, he shall place at a suitable distance in each direction upon such roadway suitable signs or signals warning the drivers of oncoming vehicles of his operations. The signs or signals shall be of a design approved by the department.

[Formerly 483.320; 1971 c.76 §1; 1971 c.607 §3]

483.364 Specific places where parking prohibited. No driver of a vehicle shall stop, stand or park it, whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control signal, in any of the following places:

(1) Within an intersection.

(2) On a crosswalk.

(3) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless local or traffic authorities indicate a different length by signs or markings.

(4) Within 25 feet from the intersection of curb lines, or, if none, within 15 feet of the intersection of property lines at an intersection within a business or residence district, except at alleys.

(5) Within 30 feet upon the approach to any official flashing beacon, stop sign or traffic control signal located at the side of the roadway.

(6) Within 15 feet of the driveway entrance to any fire station.

(7) Within 10 feet of a fire hydrant.

(8) In front of a private driveway.

(9) On a sidewalk.

(10) Alongside or opposite any street or highway excavation or obstruction when such stopping, standing or parking would obstruct traffic.

(11) On the roadway side of any vehicle stopped or parked at the edge or curb of a highway.

(12) At any place where official traffic signs have been erected prohibiting standing and parking.

(13) Within a 25 foot radius of the intersection of the center lines of a highway and a railway or interurban railway crossing.

[Formerly 483.322]

483.366 Precautions when vehicle allowed to stand on highway or grade. No person having control or charge of a motor vehicle shall allow it to stand on any highway unattended without first effectively setting its brakes and stopping its motor, and when standing upon any perceptible grade, without turning the front wheels of such vehicle to the curb or side of the highway.

[Formerly 483.324]

ABANDONED VEHICLES

483.380 Abandoning vehicle prohibited. (1) A person shall not abandon a vehicle upon a highway. A person shall not abandon a vehicle upon public or private property without the express or implied consent of the owner or person in lawful possession or control of the property.

(2) The last owner of the vehicle as shown by the records of the division shall be considered responsible for the abandonment of a vehicle in the manner described under subsection (1) of this section and liable for the cost of removal and disposition of the abandoned vehicle.

[1967 c.484 §8]

483.382 Taking abandoned or disabled vehicle into custody. (1) No vehicle which the Department of State Police or sheriff

has reason to believe is disabled or abandoned shall be parked or left standing upon the right of way of any county road or state highway outside the corporate limits of incorporated cities or towns or upon any state property or the right of way of an interstate highway, for a period in excess of 24 hours. No vehicle shall be parked or left standing upon the right of way of any county road or state highway outside the corporate limits of incorporated cities or towns or upon any state property or the right of way of an interstate highway, for a period in excess of five days. Any vehicle so parked or left standing may be taken into custody by the Department of State Police if the same is upon the right of way of a state highway, interstate highway or state property, or by the sheriff of the county if the vehicle is upon the right of way of a county road, and held at the expense of the owner or person entitled to possession thereof. The Department of State Police or sheriff may utilize its or his own personnel, equipment and facilities for the removal and preservation of such vehicles, or may hire other personnel, equipment and facilities for that purpose. As used in this subsection, "interstate highway" means a highway that is part of the National System of Interstate and Defense Highways established pursuant to section 103(e), title 23, United States Code.

(2) Any vehicle parked or left standing upon any private property in excess of five days without the consent of the owner or person in lawful possession or control of the property may, at the request of either, be removed by the sheriff of the county in which the vehicle is located and held at the expense of the owner or person entitled to possession of the vehicle in the same manner as provided in subsection (1) of this section.
[1955 c.411 §1; 1965 c.245 §1; 1967 c.484 §1; 1973 c.441 §1]

483.383 Lien for towing. Any person who, at the request of a police officer, tows an abandoned vehicle from public or private property shall have a lien on the vehicle in accordance with ORS 87.500 to 87.515 for the just and reasonable charges for the towing service performed, and may retain possession of the vehicle until such charges are paid.
[1969 c.214 §2]

483.384 Notice to owner; appraisal of value. (1) If a vehicle is removed and held by or at the direction of the Department of State Police under ORS 483.382, the Department of State Police shall forthwith provide the sheriff of the county in which the vehicle was located at the time it was taken into custody with a statement as to the place where the vehicle is being held, any costs incurred to that date in the removal, preservation and custody of the vehicle, and any available information as to the ownership of the vehicle. The sheriff shall cause the vehicle to be appraised when he receives the statement or when he takes a vehicle into custody under ORS 483.382.

(2) The sheriff shall make reasonable efforts to ascertain the names and addresses of the legal owner and owner or person entitled to possession of a vehicle taken into custody under ORS 483.382. If the names and addresses of such owners or person entitled to possession or either of them can be ascertained, the sheriff shall notify each of them of the location of the vehicle. If the vehicle is registered in the office of the Motor Vehicles Division of this state, notice is deemed given when a registered or certified letter addressed to the registered owner of the vehicle and a similar letter addressed to the legal owner, if any, at the respective latest address of each shown by the records in the office of the Motor Vehicles Division, return receipt requested and postage prepaid thereon, is mailed at least 20 days before the vehicle is sold under ORS 483.388.
[1955 c.411 §2; 1965 c.245 §2; 1967 c.484 §2]

483.386 Owner reclaiming vehicle. The legal owner, owner or person entitled to possession of a vehicle taken into custody and held by the Department of State Police or sheriff under ORS 483.382, may reclaim the vehicle at any time after it is taken into custody and before the same is sold under ORS 483.388, upon presentation to the sheriff of the county in which the vehicle was located at the time it was taken into custody of satisfactory proof of ownership or right to possession and upon payment of the costs and expenses incurred in the removal, preservation and custody of the vehicle; provided, however, that the legal owner, owner or person entitled to possession of the vehicle shall not be liable for nor required to pay storage charges for a period in excess of 30 days.
[1955 c.411 §3; 1965 c.245 §3; 1967 c.484 §3]

483.388 Sale of vehicle if not reclaimed; right of former owner to vehicle. If a vehicle is not reclaimed under ORS 483.386

within 30 days after it is taken into custody, the sheriff of the county in which the vehicle was located at the time it was taken into custody under ORS 483.382 shall sell the vehicle at public auction in the manner provided in ORS 23.450 to 23.480. After any vehicle has been sold under this section, the former legal owner, owner or person entitled to possession has no further right, title, claim or interest in or to the vehicle itself.
[1955 c.411 §4; 1965 c.245 §4; 1967 c.484 §4]

483.390 Certificate of sale; issuing certificate of title and registration card for vehicles. When any vehicle is sold under ORS 483.388, the sheriff, at the time of the payment of the purchase price, shall execute a certificate of sale in duplicate. The original certificate of sale shall be delivered to the purchaser and the copy shall be retained by the sheriff. The certificate of sale shall contain the name and address of the purchaser, the date of sale, the consideration paid, a description of the vehicle and a stipulation that no warranty is made as to the condition or title of the vehicle. The purchaser, upon presentation of the certificate of sale to the Motor Vehicles Division and payment of the fees required by law, is entitled to be issued a certificate of title and a registration card for the vehicle.
[1955 c.411 §5; 1965 c.245 §5]

483.392 Transmitting return of sale and balance of proceeds. (1) When any vehicle is sold under ORS 483.388, the sheriff selling the vehicle shall transmit to the Motor Vehicles Division, and to the county treasurer a return of sale setting forth a description of the vehicle, the purchase price, the name and address of the purchaser, the costs incurred in the sale and the costs and expenses incurred in the removal, preservation and custody of the vehicle.

(2) The sheriff shall transmit to the county treasurer, with the return of sale, the balance of the proceeds of the sale after deducting the costs incurred in the sale and the costs and expenses incurred in the removal, preservation and custody of the vehicle. Upon receipt of the return of sale and such proceeds, the county treasurer shall deposit such proceeds in the general fund of the county and file in his office the return of sale.
[1955 c.411 §6; 1959 c.257 §1; 1965 c.245 §6]

483.394 Claim by former owner to balance of proceeds. At any time within two years after the sale of a vehicle under ORS 483.388, the former owner of the vehicle may recover the proceeds transmitted by the sheriff to the county treasurer under ORS 483.392, by filing a claim with the county treasurer. The claim shall be audited and paid as are other claims against the county.
[1955 c.411 §7; 1959 c.257 §2; 1961 c.244 §1; 1965 c.245 §7]

483.395 Sale or disposition of vehicle appraised at $100 or less; rights of owner. (1) This section provides for the disposition of a vehicle appraised under ORS 483.384 at a value of $100 or less. If the vehicle is appraised at $100 or less, the sheriff shall file with the division an affidavit describing the vehicle, including the license plates, if any, stating the location and appraised value of the vehicle, that the vehicle will be junked or dismantled, and that:

(a) Notice of intent to junk or dismantle the vehicle has been sent with notification of the location of the vehicle to the legal owner and owner or person entitled to possession as provided by ORS 483.384; or

(b) The owner has signed a release, under oath, disclaiming any future interest in the vehicle, which release shall be forwarded to the division with the affidavit.

(2) If either the legal owner, owner or person entitled to possession has not signed a release and has not, within 15 days after the date notification is mailed, reclaimed the vehicle, such action shall constitute a waiver of the interest of such person.

(3) Upon completion and forwarding of the affidavit, the sheriff may, without notice and public auction, dispose of the vehicle and execute a certificate of sale as provided by ORS 483.390.
[1967 c.484 §6; 1969 c.214 §3]

483.396 Qualifications for and issuance of appraiser permit; revocation. (1) Appraisals of abandoned vehicles required by ORS 483.384 shall be made only by individuals possessing valid permits to perform such appraisals issued by the division.

(2) The division shall ascertain the qualifications and competence of individuals to conduct vehicle appraisals in accordance with generally accepted methods of appraisal. The division shall issue permits, without charge, to persons according to their qualifications. Permits shall be subject to termination or revocation at the discretion of the division.
[1967 c.484 §7]

EQUIPMENT ON VEHICLES

(Lights)

483.402 When lights are required to be on; application of visibility and height provisions. (1) Subject to the specific exceptions with respect to parked vehicles, lighted lamps and illuminating devices as specified in ORS 483.402 to 483.442 shall be displayed by:

(a) Every vehicle upon a highway within this state at any time from a half-hour after sunset to a half-hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles are not clearly discernible on such highway at a distance of 500 feet ahead.

(b) Every motorcycle upon a highway within this state at all times.

(2) Whenever ORS 483.402 to 483.442 specify:

(a) The distance from which lamps and devices shall render objects visible or within which lamps or devices shall be visible, such provisions shall apply during the times stated in subsection (1) of this section upon a straight, level unlighted highway under normal atmospheric conditions, unless a different time or condition is expressly stated.

(b) The mounted height of lamps or devices, they mean from the center of such lamp or device to the level ground upon which the vehicle stands.

[Amended by 1957 c.165 §3; 1967 c.490 §1]

483.403 Driving with parking lights lighted prohibited when head lights required. (1) No vehicle shall be driven upon a highway with the parking lights lighted during the period when the display of lighted lamps and illuminating devices is required under ORS 483.402 except when:

(a) Such lights are being used as turn signal lights; or

(b) The head lamps are also lighted at the same time.

(2) As used in this section, the term "parking lights":

(a) Includes the white parking lamps required by ORS 483.420, and any other lights mounted on the front of a vehicle, designed to be displayed primarily when the vehicle is parked.

(b) Does not include the clearance and marker lamps required or authorized under ORS 483.410 or 483.442.

[1957 c.165 §2]

483.404 Head lights required; lighting and braking equipment on bicycles. (1) Every motor vehicle other than a motorcycle shall be equipped with at least two head lamps, at least one on each side of the front of the vehicle.

(2) Every motorcycle shall be equipped with at least one and not more than two head lamps.

(3) When a bicycle is in use at nighttime the bicycle or its rider shall be equipped with a lamp exhibiting a white light visible from a distance of at least 500 feet to the front of such bicycle, and a red reflector, of such size or characteristics and so mounted as to be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A red light visible from a distance of 500 feet to the rear may be used in addition to the rear reflector.

(4) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

[Amended by 1957 c.266 §1; 1973 c.580 §2]

483.406 Tail lights required. (1) Every motor vehicle, trailer, semitrailer, and pole trailer or other vehicle being drawn at the end of a train of vehicles, shall be equipped with at least one tail lamp mounted on the rear which when lighted emits a red light plainly visible from a distance of 500 feet to the rear. In the case of a train of vehicles only the tail lamp on the rearmost vehicle need actually be visible from the distance specified.

(2) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 50 feet to the rear.

(3) Any tail lamp, together with any separate lamp for illuminating the rear registration plate, shall be wired so as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

(4) Except when being drawn during the times mentioned in ORS 483.402, trailers, semitrailers, and pole trailers of 3,000 pounds gross weight or less are not required to be equipped with a tail lamp.

[Amended by 1957 c.691 §2]

483.407 Stop lamps required. After January 1, 1966, every motor vehicle, trailer, semi-trailer and pole trailer shall be equipped with one or more stop lamps meeting the requirements of subsection (3) of ORS 483.434.

On a combination of vehicles, only the stop lamp on the rearmost vehicle need actually be seen from the distance specified in subsection (3) of ORS 483.434.
[1965 c.590 §2]

483.408 Rear reflectors required. Every new motor vehicle, other than a truck tractor, sold after January 1, 1940, and operated upon a highway, shall carry on the rear, either as parts of the tail lamps or separate, two red reflectors, mounted one on either side of the rear of the vehicle, except that vehicles of the types mentioned in ORS 483.410 shall be equipped with reflectors as required in that section. Every such reflector shall be mounted on a motor vehicle at a height not less than 20 inches nor more than 60 inches above the ground on which the vehicle stands and shall be of such size or characteristics and so mounted as to be visible at night from all distances within 300 feet to 50 feet from such vehicle, except where visibility from a greater distance is required in ORS 483.410 to 483.442 of reflectors on certain types of vehicles.
[Amended by 1961 c.53 §1]

483.410 Reflectors, clearance and marker lamps, and stop lights on various vehicles. In addition to other equipment required by this chapter, the following vehicles when operated upon a highway shall be equipped as follows:

(1) Every motor bus or motor truck, except as provided in subsection (10) of this section:

(a) On each side, one reflector at or near the rear.

(b) On the rear, two reflectors, one at each side and one stop light.

(2) In addition to the requirements of subsection (1) of this section, every motor bus or motor truck 80 inches or more in overall width and less than 30 feet in overall length:

(a) On the front, two clearance lamps, one at each side.

(b) On the rear, two clearance lamps, one at each side.

(3) In addition to the requirements of subsections (1) and (2) of this section, every motor bus or motor truck 30 feet or more in overall length, regardless of its width, except as provided in subsection (10) of this section:

(a) On each side, two side marker lamps, one at or near the front and one at or near the rear.

(b) On each side, one reflector at or near the front.

(4) Every truck tractor, the cab of which is as wide as or wider than any vehicle being drawn by it:

(a) On the front, two clearance lamps, one at each side.

(b) On each side, one side marker lamp at or near the front.

(5) Every trailer or semitrailer having a gross weight in excess of 3,000 pounds, and wider than the cab of the truck or truck tractor drawing it:

(a) On the front, two clearance lamps, one on each side.

(b) On each side, two side marker lamps, one at or near the front and one at or near the rear.

(c) On each side, two reflectors, one at or near the front and one at or near the rear.

(d) On the rear, two clearance lamps, one at each side, and two reflectors, one at each side, and one stop light.

(6) Every trailer or semitrailer having a gross weight in excess of 3,000 pounds, and of the same width or less than the truck or cab of the truck tractor drawing it:

(a) On each side, one side marker lamp near the rear.

(b) On each side, two reflectors, one at or near the rear.

(c) On the rear, two clearance lamps, one at each side.

(d) On the rear, two reflectors, one at each side and one stop light.

(7) Every pole trailer in excess of 3,000 pounds gross weight:

(a) On each side, one side marker lamp and one clearance lamp, which may be in combination, to show to the front, side and rear, and may be unmounted or detached during daylight hours.

(b) On the rear of the pole trailer or load two reflectors, one at each side.

(8) Every trailer, semitrailer and pole trailer of 3,000 pounds gross weight or less, on the rear, two reflectors, one at each side.

(9) Any trailer, semitrailer or pole trailer which is so loaded or is of such dimensions as to obscure the stop light on the towing vehicle, on the rear, one stop light.

(10) Subsections (1) and (3) of this section do not apply to motor busses being operated wholly within the limits of incorporated cities and along fixed routes as specified by the terms of a definite franchise with the city in which the busses are operated.

483.412 Color of lamps and reflectors; when certain lamps need not be lighted. (1) Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.

(2) Rear clearance lamps and those marker or reflector lamps and reflectors mounted on the rear or side near the rear of a vehicle shall display or reflect a red color.

(3) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color except:

(a) A signal device may be red, amber or yellow;

(b) The lights of a rear mounted lighting system shall be green and yellow as well as red; and

(c) The light used only to illuminate the license plate shall be white.

(4) Clearance and side marker lamps need not be lighted on a vehicle when operated within a municipality where there is sufficient light to render persons and vehicles clearly discernible on the highway at a distance of 500 feet.

[Amended by 1973 c.274 §3]

483.414 Mounting reflectors and clearance lamps. (1) Reflectors shall be mounted at a height not less than 24 inches and not more than 60 inches above the ground on which the vehicle stands, except that if the highest part of the permanent structure of the vehicle is less than 24 inches, the reflector at such point shall be mounted as high as the permanent structure will permit.

(2) The rear reflectors on pole trailers may be mounted on each side of the bolster or load.

(3) Any required red reflector on the rear of a vehicle may be incorporated with the tail light, but such reflector shall meet all the other reflector requirements of ORS 483.402 to 483.422.

(4) Clearance lamps shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its extreme width and as near the top thereof as practicable. Clearance lamps and side marker lamps may be mounted in combination, if illumination is given as required with reference to both.

(5) The light and reflector devices required in ORS 483.410 shall be mounted, so far as practicable, in such manner as to reduce the hazard of being obscured by mud or dust thrown by the wheels.

483.416 Visibility of reflectors, clearance and marker lamps, and stop lights. (1) Every reflector shall be of such size and characteristics and so maintained as to be readily visible at night from a distance within 500 feet to 50 feet from the vehicle when directly in front of lawful upper beams of head lamps. Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides and those mounted on the rear shall reflect a red color to the rear.

(2) Front and rear clearance lamps, and side marker lamps, shall be capable of being seen and distinguished under normal atmospheric conditions, at the times lights are required, at a distance of 500 feet from:

(a) The front of the vehicle, in the case of front clearance lamps.

(b) The rear of the vehicle, in the case of rear clearance lamps.

(c) The side of the vehicle, in the case of side marker lamps.

(3) Stop lights shall be actuated upon application of the service brake and shall be capable of being seen and distinguished from a distance of 100 feet to the rear of the vehicle in normal daylight, but shall not project a glaring or dazzling light. A stop light may be incorporated with a tail lamp.

483.418 Lighting required for a combination of vehicles. Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp, except the tail lamp, which by reason of its location on a vehicle of the combination would be obscured by another vehicle of the combination, need not be lighted; but this shall not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicle required to have clearance lamps nor the requirement that all lights on the rear of the rearmost vehicle of any combination be lighted.

483.420 Lights required on parked vehicles. Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the times mentioned in ORS 483.402, it shall be equipped with one or more lamps which shall exhibit a white or amber light on the roadway side of the vehicle visible from a distance of 500 feet to the front of such

vehicle and a red light visible from a distance of 500 feet to the rear of such vehicle. However, local authorities may provide by ordinance or resolution that no lights need be displayed upon any such vehicle when stopped or parked in accordance with local parking regulations upon a street or highway, where there is sufficient light to render clearly discernible any person or object within a distance of 500 feet upon such street or highway. Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

[Amended by 1959 c.124 §10]

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.

483.423 Warning lights. (1) Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing and, when so equipped, may display such warning in addition to any other warning signals required by this chapter subject to the following:

(a) The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights. These warning lights shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night. Such warning lamps shall not be used in lieu of flares as required by ORS 483.456.

(b) In lieu of the lamps described in paragraph (a) of this subsection, a vehicle operated by the state, or any county, city, district or other political subdivision of the state, and used for the construction, improvement, repair, maintenance, operation or patrol of a public highway, road or street, may be equipped with a lamp that flashes an amber light, either of a revolving beam or stationary type, visible from a distance of not less than 500 feet under normal atmospheric conditions at night. The lamp may be used during the day or at night.

(c) In lieu of the lamps described by paragraph (a) or (b) of this subsection, a vehicle that is operated by any state, county or city police officer and used for law enforcement may, when equipped with warning lamps, be equipped with one or more blue revolving or stationary-type flashing lamps visible from a distance of not less than 1,000 feet under normal atmospheric conditions at night. The lamps may be used during the day or at night. Except as provided by this paragraph, a blue warning lamp shall not be displayed on any vehicle.

(d) Tow cars shall be equipped with a lamp that flashes an amber or red light of a revolving type, visible as provided in paragraph (b) of this subsection. The operator shall activate the flashing amber or red light when the tow car is engaged in connecting with another vehicle and drawing it onto a street or highway or while servicing a disabled vehicle.

(e) In lieu of the lamps described in paragraph (a) of this subsection, a pilot vehicle may be equipped with a lamp that flashes an amber light of a revolving type, visible as provided in paragraph (a) of this subsection. The lamp may be activated whenever the vehicle is being used as a pilot vehicle.

(f) In lieu of the lamps described in paragraph (a) of this subsection, vehicles operated by a public utility involved in maintenance, repair or construction of their facilities along public rights of way may be equipped with a lamp that flashes an amber light, either of a revolving beam or stationary type, visible from a distance of not less than 500 feet under normal atmospheric conditions at night. This light may be used in the day or at night.

(2) Any vehicle in active service transporting United States mail may display two simultaneously flashing lights to be used for the purpose of warning other vehicle operators of its presence and to exercise caution in approaching, overtaking or passing. Such lights may be flashed continuously or actuated by application of the service brake while

the vehicle is either in motion or parked. Such lamps shall have the following specifications and shall meet the following requirements:

(a) Lamps shall be Class A in size (at least 12 square inches of effective illuminated surface).

(b) Lamps shall be of double-face or two-way type.

(c) Lamps shall project an amber color to the front and a red color to the rear.

(d) Lights shall be visible from a distance of not less than 100 feet to the front and rear in normal sunlight.

(e) Lamps shall be mounted on the highest part of the top of the vehicles in such a position that the illumination from the lights is visible both to the front and rear for the required distance. Lamps shall be spaced laterally as far apart as body construction will permit. Between the lamps there shall be mounted a 22-inch by 7-inch sign with the wording "U.S. Mail" in four-inch letters in black on a white background. This sign and lamps shall be installed so that the sign can be easily lowered and the lamps turned off when the vehicle is not actually engaged in United States mail service.

(f) The lamps, sign, wiring, switches and mounting devices shall all be of a type which has been approved by the Motor Vehicles Division.

[1957 c.463 §3; 1963 c.110 §1; 1969 c.233 §1; 1973 c.310 §3; 1973 c.783 §2]

483.424 Intensity and distribution requirements for head lamps. Except as otherwise provided in ORS 483.430, the head lamps or the auxiliary driving or passing lamps or combinations thereof on motor vehicles other than motorcycles, shall be so arranged on any motor vehicle that the driver may select at will, or so that the selection can automatically be made, between distributions of light projected to different elevations, subject to the following requirements and limitations:

(1) There shall be an uppermost distribution of light or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead of such vehicle for all conditions of loading.

(2) There shall be a lowermost distribution of light or composite beam, so aimed and of such intensity as to reveal a person or vehicle on a street or highway at a distance of at least 100 feet ahead of the vehicle.

(3) The distribution of light or composite beam shall be aimed so that on a straight level road under any condition of loading none of the high intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

[Amended by 1955 c.124 §1]

483.426 Light indicator visible to driver. Every new motor vehicle registered in this state after January 1, 1940, which has multiple-beam road lighting equipment, shall be equipped with a beam indicator which shall be lighted when, and only when, the uppermost distribution of light from the head lamps is in use. The indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

483.428 Distribution and intensity of head lights when on road and when meeting vehicle. Whenever a motor vehicle is being operated on a street or highway during the times specified in subsection (1) of ORS 483.402, the driver shall use a distribution of light or composite beam directed sufficiently high and of such intensity so as to reveal persons and vehicles on such street or highway at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

(1) Whenever the driver of a vehicle approaches an oncoming vehicle within 500 feet he shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver.

(2) The lowermost distribution of light specified in subsection (2) of ORS 483.424 shall be deemed to avoid glare at all times regardless of road contour and loading of the vehicle.

(3) Except when in the act of overtaking or passing, a driver of a vehicle following another vehicle within 350 feet to the rear shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in subsection (1) of ORS 483.424.

[Amended by 1955 c.124 §2]

483.430 Requirements when single distribution used. Head lamps arranged to provide a single distribution of light, not supplemented by auxiliary driving lamps, shall be permitted on a motor vehicle in lieu of multiple-beam road lighting equipment if the

single distribution of light complies with the following requirements and limitations:

(1) Head lamps shall be so aimed that when the vehicle is not loaded, none of the high intensity portion of the light shall, at a distance of 25 feet ahead of the vehicle, project higher than five inches below the level of the center of the lamp from which it comes, or higher than 42 inches above the level on which the vehicle stands at a distance of 75 feet ahead of such vehicle.

(2) The intensity of the light of single-beam head lamps shall be sufficient to reveal persons and vehicles upon a street or highway at a distance of at least 200 feet ahead of the vehicle to which they are attached.

483.432 Limitations on lights at front of vehicles or equipment. (1) Whenever a motor vehicle equipped with head lamps as required in ORS 483.404 is also equipped with any auxiliary lamps or spot lamp or any other lamp on the front thereof projecting a beam of intensity greater than 300 candlepower, not more than a total of four of any such lamps shall be lighted at any one time when upon a street or highway.

(2) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary driving lamps, flashing turn signals, emergency vehicle warning lamps, school bus warning lamps and warning lamps upon a worker transport bus as defined in ORS 485.010, which projects a beam of light of an intensity greater than 300 candlepower, shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

(3) No person shall drive or move any vehicle or equipment upon any street or highway with any lamp or device thereon displaying or carrying a red light visible from directly in front of such vehicle or equipment.

(4) Except as provided in ORS 483.423 and in subsections (5) and (6) of this section, flashing lights are prohibited on all motor vehicles on any street or highway except as a means for indicating a right or left turn.

(5) Subsection (3) of this section does not apply to, and subsection (4) does not prohibit the display of flashing red lights on, authorized emergency vehicles, school busses, worker transport busses as defined in ORS 485.010, vehicles used by a public utility in making repairs to public utility facilities, vehicles authorized by police authorities in their respective jurisdictions to escort funeral processions, and vehicles used as provided in subsection (6) of this section.

(6) When authorized in writing by the governing body of a rural fire protection district or of a municipal fire department, any vehicle, whether privately or publicly owned, may display a flashing red light while being driven to a fire station or fire location: (a) By a fire chief, assistant fire chief or volunteer selected by the board of directors of a rural fire protection district organized under the provisions of ORS chapter 478; or (b) any person authorized to serve as fire chief, assistant fire chief or volunteer fireman by the governing body of any municipal fire department, in response to a fire alarm.

(7) Any red light authorized by subsection (6) of this section shall be covered or otherwise concealed when not being displayed as provided in subsection (6) of this section.

(8) Any lights displayed under the authority granted by subsection (6) of this section shall be, and shall remain, the property of the rural fire protection district or municipality involved.

[Amended by 1953 c.374 §2; 1957 c.463 §1; 1961 c.457 §1; 1971 c.607 §4]

483.434 Spot, auxiliary driving, stop, signal, fender, running board and back-up lamps permitted. Any motor vehicle may be equipped with:

(1) Not to exceed one spot lamp. Every lighted spot lamp shall be so aimed and used, upon approaching another vehicle, that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle upon which it is mounted, more than 100 feet ahead of such vehicle.

(2) Not to exceed three auxiliary driving lamps mounted on the front at a height not less than 12 inches nor more than 42 inches above the level surface upon which the vehicle stands. Every such auxiliary lamp shall meet the requirements and limitations set forth in ORS 483.402 to 483.442.

(3) A stop signal, lamp or device which is so constructed and located on a vehicle as to give a signal of intention to stop in a red color visible from the rear for a distance of 100 feet.

(4) And when required by law shall be equipped with a device so constructed and located on the vehicle as to give a signal of

intention to turn to the right or left. This signal shall be plainly visible and understandable in normal sunlight and at night from a distance of 100 feet to the front and rear but shall not project a glaring or dazzling light. All mechanical signal devices shall be self-illuminated when in use at the times mentioned in subsection (1) of ORS 483.402.

(5) Not more than two cowl or fender lamps which shall emit an amber or white light without glare.

(6) Not more than one running board lamp on each side thereof which shall emit a white or amber light without glare.

(7) A back-up lamp either separately or in combination with another lamp. A back-up lamp shall not be lighted when the motor vehicle is in forward motion.

[Amended by 1973 c.274 §4]

483.435 Optional vehicle rear mounted lighting system. (1) Every motor vehicle, trailer, semitrailer and pole trailer used in the State of Oregon may be equipped with a rear mounted lighting system which will consist of:

(a) A green light to be actuated when the accelerator is depressed;

(b) A yellow light to be actuated when the motor vehicle is moving forward or standing and idling, but not under power from its engine; and

(c) A red light to be actuated when the motor vehicle is being braked through the use of its braking system.

(2) The red and green lights of a rear mounted lighting system may be illuminated simultaneously. Otherwise, only one light of this system shall be illuminated at any one time, and either the green or yellow lights shall be illuminated when the red lights are not illuminated.

(3) The lights of a rear mounted lighting system shall be capable of being seen and distinguished as provided in subsection (3) of ORS 483.416.

(4) On a combination of vehicles, only the lights of a rear mounted lighting system on the rearmost vehicle need actually be seen and distinguished as provided in subsection (3) of ORS 483.416.

[1973 c.274 §2]

Note: 483.435 was added to and made a part of ORS chapter 483 by legislative action but was not added to and made a part of any series therein by legislative action.

483.436 Approval of lamps by Motor Vehicles Division. (1) No person shall sell or offer for sale for use upon or as part of the equipment of a motor vehicle, trailer, semitrailer or pole trailer, or shall use upon any such vehicle, any head lamp, auxiliary lamp, spot lamp, fog lamp, tail lamp, signal lamp or reflector required by this chapter, or any part for such a lamp or reflector which tends to change the original design or performance, unless it is of a type which has been approved by the Motor Vehicles Division.

(2) No person shall sell or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, semitrailer or pole trailer, any lamp or device mentioned in this section which has been approved by the Motor Vehicles Division unless such lamp or device bears thereon the trademark or name and serial number under which it is approved so as to be legible when installed.

(3) No person shall use upon any motor vehicle, trailer, semitrailer or pole trailer any lamps mentioned in this section unless they are mounted, adjusted and aimed in accordance with the instructions of the Motor Vehicles Division.

[Amended by 1955 c.124 §3]

483.437 Warning lights and sirens for ambulances to be prescribed by Motor Vehicles Division. Subject to any other statute or rule pursuant thereto relating to lighting or noise of a vehicle, the Motor Vehicles Division shall prescribe required warning lights and sirens or other audible signals for ambulances as defined in ORS 485.500. Such requirements shall include, but not be limited to, numbers required, placement, visibility, audibility, rate of flash if applicable and inside indicators. Each ambulance shall have such warning lights and such siren or other audible signal as the Motor Vehicles Division prescribes.

[1973 c.407 §12]

483.438 Procedure before and after lamps are approved. The Motor Vehicles Division shall:

(1) Approve or disapprove and issue and enforce regulations establishing standards and specifications for the approval of, any lamp, reflector or signal device of a type on which approval is required by ORS 483.436, including their installation, adjustment and aiming and their adjustment when in use on motor vehicles.

(2) Set up the procedure which shall be followed when any application covering

such lamp, reflector or device is submitted for approval.

(3) Approve or disapprove any lighting device of a type on which approval is specifically required in this chapter, within a reasonable time after such device has been submitted.

(4) Correlate and, so far as practicable, conform to the then current standards and specifications of the Society of Automotive Engineers applicable to such equipment.

(5) Upon approving any such lamp, reflector or device, issue to the applicant a certificate of approval, together with any instructions regarding its use that the Motor Vehicles Division deems necessary to insure compliance with the requirements of this chapter.

(6) Publish lists of all lamps, reflectors or devices by name and type which have been approved by the Motor Vehicles Division, and distribute the lists to the manufacturers, wholesalers and retailers of all such lamps and devices and to the law enforcement agencies and courts of this state.
[Amended by 1953 c.629 §2; 1955 c.124 §4]

483.440 Suspension and renewal of certificates approving lamps. When the Motor Vehicles Division has reason to believe that any device, as it is being sold commercially, does not comply with the requirements under which it was approved pursuant to ORS 483.438, the division shall suspend the approval issued therefor until such device is retested by a recognized testing laboratory and is found to meet the requirements of this chapter. The Motor Vehicles Division may require that all such devices sold prior to such suspension be replaced with devices which do comply with this chapter. The Motor Vehicles Division may at any time purchase in the open market and submit to the testing laboratory one or more sets of any such approved device, and if the device upon retest fails to meet the requirements of this chapter, the division may refuse to renew a certificate of approval of such device.

483.442 Specifications for lamps for vehicles of public utilities. With respect to vehicles operated under the jurisdiction of the Public Utility Commissioner of Oregon, such commissioner may adopt standard specifications at variance with those established by ORS 483.402 to 483.434, whenever standard specifications adopted by the Interstate Commerce Commission of the United States are different from those established by those sections. The standard specifications so adopted by the Public Utility Commissioner shall conform to standard specifications adopted by the Interstate Commerce Commission for vehicles operating in interstate commerce.

(Miscellaneous Equipment)

483.443 Motorcyclist required to wear protective headgear; exception; approval of headgear by division. (1) Except as provided in subsection (4) of this section, no person shall operate or ride on a motorcycle unless he is wearing protective headgear of a type approved by the division.

(2) The division shall:

(a) Set up a procedure, similar to the procedure provided by ORS 483.482 to 483.488, which will be followed for approval of protective headgear.

(b) Establish standards for safe protective headgear to be worn by persons operating or riding on motorcycles.

(3) Standards established by the division under this section shall conform, in so far as practicable, to the safety standards for such headgear issued by the Federal Government and, to the extent there are no such federal standards, to the safety standards promulgated by the United States of America Standards Institute.

(4) This section does not apply to any person who is operating or riding on a vehicle designed to travel with three wheels in contact with the ground at speeds of less than 15 miles per hour.
[1967 c.393 §2; 1971 c.380 §1]

483.444 Brakes required. (1) Every motor vehicle other than a motorcycle when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

(2) Any combination of motor vehicle, trailer, semitrailer or other vehicle shall be equipped with brakes upon one or more of

such vehicles adequate to stop such combination of vehicles within the distance specified for motor vehicles under the regulations set forth in subsection (5) of this section.

(3) Every motorcycle, and bicycle with motor attached, when operated upon a highway shall be provided with at least one brake, which may be operated by hand or foot.

(4) All brakes shall be maintained in good working order and shall conform to the regulations set forth in subsection (5) of this section.

(5) The brakes of a motor vehicle or combination of vehicles shall be deemed adequate when, on a dry, hard, approximately level stretch of highway, free from loose material, such brakes are capable of stopping the motor vehicle or combination of vehicles, when operating at speeds set forth in the following table, within the distances set opposite such speeds:

Miles per Hour	Stopping Distance
10	9.3 feet
15	20.8 feet
20	37.0 feet
25	58.0 feet
30	83.3 feet

(6) The test to be used in determining that vehicles meet the performance requirements set forth in subsection (5) of this section shall be conducted as prescribed by the Motor Vehicles Division. The test may be conducted by the use of instruments suitable for the purpose approved by the United States Bureau of Standards. No vehicle may be tested for brake efficiency at a speed higher than that permitted by law for such vehicle.

483.445 Specifications for hydraulic brake fluid. (1) The term "hydraulic brake fluid" as used in this section means the liquid medium through which force is transmitted to the brakes in the hydraulic brake system of a vehicle.

(2) Hydraulic brake fluid shall be distributed and serviced with due regard for the safety of the occupants of vehicles and the public.

(3) The division shall, after public hearing following due notice, adopt and enforce regulations for the administration of this section and shall adopt and publish standards and specifications and labeling for hydraulic brake fluid which shall, so far as practicable, conform to the then current standards and specifications of the Society of Automotive Engineers applicable to such fluid.

(4) No person shall distribute, have for sale, offer for sale, sell or service any vehicle with any hydraulic brake fluid unless it complies with the requirements of this section. [1963 c.374 §2 (1), (2), (3), (4)]

483.446 Horns and other sound equipment. (1) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order, capable of emitting sounds audible under normal conditions from a distance of not less than 200 feet.

(2) Except as otherwise provided in subsection (4) of this section, no vehicle shall be equipped with, and no person shall use upon a vehicle, any bell, siren, compression or exhaust whistle.

(3) No person shall, at any time, use a horn otherwise than as a reasonable warning or make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device.

(4) Every authorized emergency vehicle used for emergency calls shall be equipped with a bell, siren or exhaust whistle of a type approved by the Motor Vehicles Division.

(5) No person shall install or use any siren or whistle upon a bicycle.

483.448 Mufflers; unnecessary noise prohibited. (1) No person shall drive a motor vehicle on a highway unless it is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.

(2) No person shall equip any motor vehicle with a "muffler cut-out."

(3) No person shall operate, and no owner of any motor vehicle shall permit to be operated upon any public road, street or highway, any motor vehicle so as to cause any greater noise or sound than is reasonably necessary for the proper operation of such motor vehicle.

483.450 Rearview mirror. Every motor vehicle shall be so equipped with a mirror or other device as to enable the driver thereof to have such a clear and unobstructed view of the rear at all times and under all conditions of load as will enable him to see any other vehicle approaching from not less than 200 feet in the rear on an unobstructed road.

483.452 Obstruction of windows prohibited; windshield wiper required. (1) No person shall drive any vehicle upon a highway with any sign, poster or other nontransparent material upon the front windshield, side-wings, side or rear windows of such motor vehicle other than a certificate or other paper required to be so displayed by law.

(2) Every windshield on a motor vehicle shall be equipped with a device for cleaning rain or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

483.454 Light or flag at end of load. Whenever the load upon any vehicle extends to the rear four feet or more beyond the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load, at the times specified in subsection (1) of ORS 483.402, a lighted red light or lantern plainly visible from a distance of at least 500 feet to the sides and rear. The red light or lantern required under this section is in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of the load a red flag or cloth not less than 12 inches square.

483.455 [1961 c.275 §3; repealed by 1963 c.32 §3]

483.456 Flares and similar warnings for trucks and busses. (1) No person shall operate any motor truck, motor bus or truck trailer upon a highway outside of a business or residence district at any time from a half hour after sunset to a half hour before sunrise unless there is carried in such vehicle a sufficient number of flares, electric lanterns or other signals, capable of continuously producing three warning lights, each visible from a distance of at least 500 feet, for a period of at least 12 hours. However, a motor vehicle transporting flammables shall carry red electric lanterns in place of the other signals above mentioned, and a motor vehicle transporting explosives as cargo shall carry flares, electric lanterns or other signals otherwise conforming to this subsection and capable of producing a red light.

(2) Whenever any motor truck, motor bus or truck trailer is disabled during the period when lighted lamps must be displayed on vehicles and such vehicle cannot immediately be removed from the main-traveled portion of a highway outside of a business or residence district, the driver or other person in charge of the vehicle shall cause such flares, lanterns or other signals to be lighted and placed upon the highway where they are clearly visible to the drivers of approaching vehicles for a distance of 500 feet, one at a distance of not less than 100 feet or more than 300 feet in advance of such vehicle, one at a distance of not less than 100 feet or more than 300 feet to the rear of the vehicle, and the third upon the roadway side of vehicle. However, every such vehicle transporting inflammable liquid in bulk, whether loaded or empty, and every such vehicle transporting compressed inflammable gases, shall place three red electric lanterns in lieu of such other signals, and no open burning flare shall be placed adjacent to any such vehicle.

(3) During such time as lights are not required red flags not less than 12 inches square shall be used in place of flares or electric lanterns, except that no flag shall be required to be placed at the side of the vehicle. However, if such disablement continues into the period when lights are required, flares or red electric lanterns shall be placed as above set forth.

(4) In lieu of the lanterns or other signals required by this section, red emergency reflectors may be used if they are of a type approved by the Motor Vehicles Division and meet the minimum requirements of the Interstate Commerce Commission.
[Amended by 1969 c.278 §1]

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]

483.458 Fenders or covers on motor vehicles. No person shall operate or move, and no owner shall permit to be operated or moved, any motor vehicle, motor truck, motor bus, semitrailer or truck trailer, as defined in ORS 481.030 to 481.065, or bus trailer, as defined in ORS 483.002, except a motor truck chassis not equipped for hauling a load or a semitrailer equipped with bunks, upon or over any public highway, without having such vehicle equipped with fenders or covers, which may include flaps or splash aprons, over and to the rear of wheels, as follows:

(1) On the rear wheels of every motor truck equipped with a body, motor bus, bus trailer, semitrailer or trailer, such fenders or covers shall extend in full width from a point above and forward of the center of the tires over and to the rear of the wheels to a point that is not more than 10 inches above the surface of the highway when the vehicle is empty.

(2) Behind the rear wheels of every motor truck not equipped with a body the fenders or covers shall extend downward in full width from a point not lower than halfway between the center of the wheels and the top of the tires on such wheels to a point that is not more than 10 inches above the surface of the highway when such vehicle is empty.

(3) Behind all wheels of every motor vehicle other than motor trucks, motor busses, bus trailers, semitrailers or trailers, the fenders or covers shall extend in full width from a point above and forward of the center of the tire over and to the rear of the wheel to a point that is not more than 20 inches above the surface of the highway.

483.460 Standards for fenders and covers. (1) The division shall adopt standards for fenders or covers required by ORS 483.458. The standards adopted by the division shall conform, as far as practicable or applicable in this state, to standards promulgated by the National Highway Safety Bureau of the United States Department of Transportation relating to such fenders or covers under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407). Fenders or covers that comply with standards adopted by the division under this subsection shall be considered to comply with the requirements of ORS 483.458.

(2) In the absence of applicable standards adopted pursuant to subsection (1) of this section, fenders or covers, as used in ORS 483.458, shall be considered to be of sufficient size and construction to comply with the requirements thereof, if constructed as follows:

(a) When measured on the cross section of the tread of the wheel or on the combined cross sections of the treads of multiple wheels, such fender or cover extends at least to each side of the width of the tire or of the combined width of the multiple tires; and

(b) Such fender or cover is so constructed as to be capable at all times of arresting and deflecting such dirt, mud, water or other substance as may be picked up and carried by the wheels.
[Amended by 1971 c.148 §1]

483.461 Fenders not required on certain pre-1935 vehicles. Notwithstanding the provisions of ORS 483.458, fenders are not required on any modified American-made pre-1935 vehicle, or any identifiable vintage or replica thereof which is titled as a later assembled vehicle and which is used for show and pleasure use when such vehicle is used and driven only during fair weather on well-maintained hard-surfaced roads.
[1973 c.412 §1]

Note: 483.461 was not added to and made a part of ORS chapter 483 or any series therein by legislative action.

483.462 Speedometers required on vehicles carrying passengers for hire. Every motor vehicle used for carrying passengers for hire, when operated upon the highways or streets of this state, shall be equipped with a speedometer or other registering device capable of registering accurately the speed at which such vehicle is operated. However, a motor vehicle equipped with a governor or other regulating device to control its speed within the limits specified by law is not required to be so equipped.

483.464 "Safety glazing material" defined for ORS 483.464 to 483.468. As used in ORS 483.464 to 483.468, unless the context requires otherwise, "safety glazing material" means glazing material so constructed, treated or combined with other materials as to reduce substantially, in comparison to ordinary sheet or plate glass, the likelihood of injury to persons by broken or cracked glass or by objects from external sources.
[1953 c.344 §1]

483.466 Approved safety glazing materials required in windows and windshields. (1) On and after January 1, 1954, no motor vehicle, manufactured after January 1, 1954, and registered in this state, shall be operated on the highways of this state unless the windshield and windows of such motor vehicle are equipped with safety glazing materials on the approved list of the Motor Vehicles Division.

(2) On and after January 1, 1954, no person shall make or procure the replacement of windows and windshields in a motor vehicle unless such replacement is made with a safety glazing material on the approved list of the division.
[1953 c.344 §§2, 3]

483.468 Approval of safety glazing materials. (1) The Motor Vehicles Division shall establish standards for safety glazing materials which standards shall conform to the standards approved by the American Standards Association in the American Standard Safety Code for Safety Glazing Materials of Motor Vehicles Operating on Land Highways. The Motor Vehicles Division shall publish a list of approved safety glazing materials.

(2) The manufacturer of any glazing material upon which approval for use in motor vehicles is desired shall submit to the Motor Vehicles Division a test report from the National Bureau of Standards if available, or if not, any other nationally recognized testing laboratories as authorized by the division. If the Motor Vehicles Division finds that the glazing material so tested conforms with the standards of this state the division shall place such material on the approved list.
[1953 c.344 §4; 1957 c.361 §1]

483.470 Limitations on use of television viewers in motor vehicles. No person shall drive any motor vehicle equipped with any television viewer, screen or other means of visually receiving a television broadcast, which is located in the motor vehicle at any point forward of the back of the driver's seat, or which is visible to the driver while operating the motor vehicle.
[1953 c.151 §1]

483.472 Binders on log loads. (1) When a load of five or more logs is transported by vehicle on a public highway, the owner of the vehicle transporting the logs shall cause the logs to be secured as follows:

(a) If the logs are 16 feet or more in length, by at least four evenly spaced binders around the load, one of which may be used as a "gut wrapper."

(b) If the logs are less than 16 feet in length, by at least two binders around the load.

(2) The binders referred to in subsection (1) of this section shall have a breaking strength of not less than 15,000 pounds.

(3) When a log less than 16 feet in length is loaded upon two or more logs it shall be secured to the two or more logs by at least two of the binders required by subsection (1) of this section.

(4) Subsections (1) and (3) of this section are not intended to reduce the number of binders required by any order, rule or regulation made pursuant to ORS 654.001 to 654.295.

(5) This section shall be enforced by the Oregon State Police and by county and city police officers.
[1955 c.539 §2; 1973 c.711 §1; 1973 c.833 §46]

(Minimum Clearance)

483.474 Minimum clearance from roadway for passenger motor vehicles. No person shall operate upon a highway any passenger motor vehicle, any portion of which vehicle, other than the wheels, has less clearance from the surface of a level roadway than the clearance between the roadway and the lowest portion of any rim of any wheel in contact with the roadway.
[1961 c.441 §2]

(Safety Belts and Harnesses)

483.482 New passenger vehicles to be equipped with safety belts or harnesses; requirements for sale and installation of belts, harnesses and anchors; exceptions. (1) No person shall sell or offer for sale a new motor vehicle that is primarily designed for transportation of individuals and that has

seating for one or more passengers side-by-side with the operator or chauffeur if the vehicle is not equipped, for the operator or chauffeur and for at least one such passenger, with safety belts or safety harnesses, or one of each, complying with minimum standards and specifications adopted by the division and installed in compliance with regulations adopted by the division.

(2) No person shall sell or offer for sale, for use or installation on a vehicle that is primarily designed for transportation of individuals:

(a) Any safety belt, safety harness or anchor or other device to which safety belts or safety harnesses may be attached and secured, that does not meet the minimum standards and specifications adopted by the division.

(b) Any safety belt, safety harness or anchor or other device to which safety belts or safety harnesses may be attached and secured, unless the belt, harness or anchor or other device bears the trade-mark or serial number under which it is approved by the division under ORS 483.486, and unless the trade-mark or serial number is legible when the belt, harness or anchor or other device is used or installed on a vehicle.

(3) No person shall install any safety belt, safety harness or anchor or other device, to which safety belts or safety harnesses may be attached and secured, on a vehicle that is primarily designed for transportation of individuals except in compliance with regulations adopted by the division.

(4) ORS 483.482 to 483.488 do not apply to motor busses as defined in ORS 483.014, nor to school busses as defined in ORS 483.022.

[1963 c.315 §§2, 8]

483.484 Division to establish minimum standards for installing safety belts and harnesses. (1) The division shall adopt and enforce regulations establishing minimum standards and specifications for the construction and installation of safety belts, safety harnesses and anchors or other devices to which safety belts or safety harnesses may be attached and secured.

(2) Regulations establishing minimum safety standards and specifications may conform to standards and specifications of the Society of Automotive Engineers which are current at the time the regulations are adopted.

[1963 c.315 §3]

483.486 Application for approval by division of safety belts, harnesses and anchors; tests; letter of approval. (1) The division shall establish a procedure for accepting and processing applications for approval of safety belts, safety harnesses and anchors or other devices to which safety belts or safety harnesses may be attached and secured.

(2) Any person may apply to the division for approval of a safety belt, safety harness or anchor or other device to which safety belts or safety harnesses may be attached and secured, as suitable for sale or to be offered for sale in this state for use or installation on vehicles. The division may require a sample of a belt, harness or anchor or other device to be submitted for test. The division may accept reports of tests conducted by independent testing laboratories. Sample belts, harnesses or anchors or other devices and laboratory reports submitted by applicants become the property of the division.

(3) When an application for approval of a safety belt, safety harness or anchor or other device has been submitted, the division, within a reasonable time and in accordance with the minimum safety standards and specifications prescribed by regulation, shall approve or disapprove the belt, harness or anchor or other device as suitable for sale or to be offered for sale in this state for use or installation on vehicles.

(4) If the division approves a safety belt, safety harness or anchor or other device as suitable for sale or to be offered for sale in this state for use or installation on vehicles, it shall issue a letter of approval to the applicant. The letter shall indicate approval of the specific model of belt, harness or anchor or other device tested and shall identify the belt, harness or anchor or other device approved by the trade-mark or the type of identifying serial number which the belt, harness or anchor or other device to be sold or offered for sale will bear.

[1963 c.315 §4]

483.488 Subsequent tests by division of approved safety belts, harnesses and anchors; cancellation of approval. (1) The division may purchase in the market, and test or submit to testing laboratories any safety belt, safety harness or anchor or other device which it has approved for sale or to be offered for sale.

(2) The division shall cancel its approval of a belt, harness or anchor or other

device for sale or to be offered for sale if it determines that the belt, harness or anchor or other device does not satisfy the minimum standard provided by regulation.

(3) Cancellation of approval is effective as soon as the division notifies the person who applied for approval or his successor that the approval has been canceled.
[1963 c.315 §5]

(National Safety Standards)

483.495 Adoption of national safety standards. (1) The division shall, after it has considered vehicle safety standards adopted pursuant to the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C., Sec. 1381, et seq.), adopt and enforce regulations identical to such standards with respect to any vehicle or item of vehicle equipment applicable to the same aspect of performance of such vehicle or item of equipment. As used in this section, "vehicle safety standard" means a minimum standard for vehicle performance, or vehicle equipment performance which is practicable, which meets the need for vehicle safety and which provides objective criteria. A federal vehicle safety standard which conflicts with an equipment provision of this chapter applicable to the same aspect of performance shall supersede that specific provision of this chapter with respect to vehicles in compliance with the federal vehicle safety standard that was in effect at the time of sale. The Motor Vehicles Division shall continue to carry out the approval of equipment for which there are no federal standards, as required in other sections of this chapter, including, but not limited to, such approval of equipment on new vehicles first sold in Oregon. Notwithstanding any provisions of this chapter to the contrary, testing requirements for approval of equipment pursuant to this chapter shall be met by the manufacturer submitting a report from a laboratory approved by the division showing compliance with the current standards of the Society of Automotive Engineers, the United States of America Standards Institute or the United States Bureau of Standards.

(2) Whenever a federal vehicle safety standard is established under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C., Sec. 1381, et seq.) and adopted as a regulation by the Motor Vehicles Division, no person shall use, sell or offer for sale a vehicle to which the standard is applicable, and no person shall use, sell or offer for sale for use upon a vehicle an item of equipment to which the standard is applicable, unless:

(a) Such vehicle or equipment conforms to the applicable federal standard adopted by the division.

(b) The vehicle or equipment bears thereon proof of certification by the manufacturer or distributor that it complies with the applicable federal standards adopted by the division. The proof of certification may be in the form of a symbol or designation prescribed in the federal standards or, if there is no federal symbol or designation, by a symbol or designation acceptable to the division.

(3) After a vehicle or item of equipment is certified by the manufacturer or distributor that it complies with the applicable federal standards, if the division has reason to believe that any vehicle or item of equipment being used, sold or offered for sale does not conform with the applicable federal standards, the division shall notify the federal Department of Transportation. If the Department of Transportation finds that such vehicle or item of equipment does not comply with the federal standards, the division shall notify the person of the nonconformance. Upon receipt by certified mail of a notice that a vehicle or item of equipment does not conform with the applicable federal standards as adopted by regulation, the vehicle or item of equipment shall not be used, sold or offered for sale.
[1969 c.300 §2]

(Disposal Systems)

483.497 Definitions. As used in this section:

(1) "Public way" means every way or place of whatever nature open to the use of the public, including but not limited to, roads, streets, alleys, lanes, trails, beaches, parks and recreational use areas owned or operated by the state, a county or local municipality for use by the general public.

(2) "Operate" means to have the use, possession or control of a recreational vehicle upon a public way.

(3) "Recreational vehicle" shall include all vehicles defined by subsection (8) of ORS 446.004.
[1971 c.447 §2]

483.499 Operation of recreational vehicle with unsealed disposal system prohibited. No person shall operate a recreational vehicle which is equipped with a plumbing, sink or toilet fixture upon any public way while the

disposal system is unsealed or uncapped unless said disposal system is being discharged into or connected with a sewage disposal system approved by the Health Division.
[1971 c.447 §3]

RESTRICTIONS ON USE OF HIGHWAYS; WEIGHTS AND SIZES OF VEHICLES

483.502 Application of size and weight provisions; fees; violators liable for damages. (1) No person shall drive or move and no owner shall cause or permit to be driven or moved on any highway, any vehicle or combination of vehicles of a size or weight exceeding the limitations set forth in ORS 483.502 to 483.536, or any vehicle or combination of vehicles which are not constructed or equipped as required in those sections, or under the rules and regulations of the Department of Transportation, county courts or boards of county commissioners, or city councils, adopted pursuant thereto.

(2) All permits issued purusant to the provisions or under authority of ORS 483.502 to 483.536 for the operation of any vehicle upon any highway within the state shall be free of charge except as provided by this section. For a permit for an overwidth but not overweight vehicle or combination of vehicles, including the load thereon, the fee for a single trip permit shall be $3 and for an annual permit shall be $30. Any issuing agency may charge a fee for a permit to move any building or structure on any highway, road or street under its jurisdiction.

(3) The provisions of ORS 483.502 to 483.536 governing size and weight 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) Any owner and driver or chauffeur of any vehicle or combination of vehicles using the highways, streets or bridges of this state in violation of ORS 483.502 to 483.536 shall be jointly and severally liable to the state, county or city (depending upon whether it is a state, county or city highway, street or bridge), for all damage done to the highway, street or bridge as a result of the violation.

(5) The operation of any vehicle or combination of vehicles in violation of ORS 483.502 to 483.528 or ORS 483.532 is prima facie evidence that the owner of such vehicle or combination caused or permitted it to be so operated.
[Amended by 1953 c.691 §12; 1959 c.189 §1; 1973 c.290 §1]

483.504 Restrictions on width, height and length of vehicles. Except as authorized by the terms of permits issued or resolutions adopted pursuant to ORS 483.520 to 483.525 and 483.528:

(1) No vehicle, including any load thereon, shall exceed a total outside width of eight feet, except that:

(a) Pneumatic tires, rubber or leather mud flaps, safety accessories such as clearance lights, rub rails and binder chains, and appurtenances such as door handles, door hinges and turning signal brackets may exceed such width by a distance not greater than two inches on each side of the vehicle.

(b) Rearview mirrors may exceed such width by a distance not greater than five inches on each side of the vehicle.

(c) The width of a farm tractor and of a trolley bus in operation prior to June 1, 1947, and operated exclusively within the limits of an incorporated city, may exceed such width but shall not exceed nine feet.

(d) Trolley busses or trolley busses converted to motor busses operated exclusively within the limits of an incorporated city, and first placed in operation within the limits of an incorporated city on or after June 1, 1947, and prior to January 1, 1955, may exceed such width but shall not exceed 102 inches.

(2) No passenger vehicle shall carry any load extending beyond the line of its left fenders, or extending more than six inches beyond the line of its right fenders.

(3) No vehicle, including any load thereon, shall exceed a height of 13½ feet. This subsection does not relieve the owner or driver of any vehicle or combination of vehicles from the exercise of due care in determining that sufficient vertical clearance is provided upon the highways and streets where the vehicle or combination of vehicles is being operated.

(4) No vehicle operating singly or as a unit in a combination of vehicles shall exceed a length of 35 feet, inclusive of front and rear bumpers, and no combination of vehicles, including any load thereon, shall exceed a total length of 50 feet, except that:

(a) A trolley bus operated exclusively within the limits of an incorporated city and

first placed in operation in the city on or after June 1, 1947, may exceed a length of 35 feet but shall not exceed a length of 38 feet.

(b) Public utilities, people's utilities districts and cooperative rural electrification districts or common or contract carriers when acting as agent for or on direct orders of such a utility or district, for the purpose of transporting and hauling poles, piling or structures used or to be used in connection with their business, may use and operate upon any highway of this state any combination of vehicles having a load the total length of which is not in excess of 75 feet unless an emergency exists.

(c) Such a combination may exceed a total length of 50 feet when operated in accordance with a resolution adopted pursuant to ORS 483.525 but such a resolution shall not authorize a truck tractor and semitrailer combination to exceed 60 feet in length or authorize any other combination of vehicles to exceed 75 feet in length.

(5) No load upon any vehicle or combination of vehicles shall exceed 40 feet in length, except poles, piling or structures used or to be used in connection with the business of a public utility, people's utilities district or cooperative rural electrification district, upon a vehicle or combination of vehicles operated by such utility or district or by a common or contract carrier acting as agent for or on direct orders of such a utility or district.

(6) No vehicle or combination of vehicles shall carry any load extending more than four feet beyond the front thereof.

(7) No portion of any single vehicle or any load being transported on any single vehicle first placed in operation after December 31, 1951, shall extend beyond the last axle of the vehicle for a distance greater than one-half the length of the wheelbase of the vehicle, unless at least 20 percent of the gross weight of the vehicle, including any load thereon, is exerted upon the highway or street through the wheels of the front axle of the vehicle.

(8) Any load being transported by any single vehicle may extend to the rear of the last axle of the vehicle for a distance greater than five-eighths, but not greater than three-fourths, of the length of the wheelbase of the vehicle, if at least 25 percent of the gross weight of the vehicle, including any load thereon, is exerted upon the highway or street through the wheels of the front axle of the vehicle.

(9) The provisions of subsections (1) to (8) of this section shall not apply to implements of husbandry moved upon any highway during daylight hours for a distance not greater than 50 miles, if the movement is incidental to the farming operations of the owner of the implement of husbandry. With respect to implements of husbandry, the same shall be driven as closely as is practicable to the right-hand edge of the roadbed including the shoulders, if any.

(10) No portion of any combination of vehicles or any load thereon shall extend beyond the last axle of the combination of vehicles for a distance greater than one-third of the length of the wheelbase of the combination of vehicles; except that in any combination of vehicles consisting of a motor vehicle towing a trailer house, the rear overhang may extend more than one-third but not more than one-half of the length of the wheelbase of the combination.

[Amended by 1953 c.691 §12; 1955 c.272 §1; 1957 c.277 §1; 1957 c.621 §1; 1959 c.291 §1; 1963 c.205 §1; 1967 c.524 §1; 1973 c.217 §1]

483.506 Maximum axle, wheel and gross weights for vehicles. Except as authorized by the terms of permits issued pursuant to ORS 483.520 to 483.528:

(1) Subject to the maximum gross axle or tandem axle weights set forth in subsections (2), (3) and (4) of this section, the gross axle or tandem axle weights of any axle or tandem axle of a vehicle shall not exceed 550 pounds per inch of total tire width of the wheels of the axle or tandem axles.

(2) Subject to the limitations of subsection (1) and paragraph (e) of subsection (4) of this section, no vehicle or combination of vehicles used to transport logs, poles or piling shall have a gross weight exceeding:

(a) 9,500 pounds on any individual wheel.

(b) 20,000 pounds on any axle, except on any part of the Federal Interstate Highway System the weight shall not exceed 19,000 pounds.

(c) 34,000 pounds on any tandem axles.

(d) 37,000 pounds on any group of axles consisting of the rear single axle of a truck tractor and the single axle of a pole trailer or semitrailer or consisting of the rear single axle of a motor truck and the front axle of a trailer.

(e) 50,000 pounds on any group of axles consisting of the rear single axle of a truck tractor and the tandem axles of a pole trailer or semitrailer, or consisting of the rear tandem axles of a truck tractor and the single axle of a pole trailer or semitrailer or consisting of the rear tandem axles of a motor truck and the front axle of a trailer.

(3) Subject to the limitations of subsection (1) and paragraph (e) of subsection (4) of this section, any vehicle specially equipped with a self-compactor and used exclusively for garbage or refuse operations may when laden with garbage or refuse, transmit upon the road surface of any highway a gross weight upon a single axle not more than 22,000 pounds. When unladen, however, such vehicles shall comply with the weight limitations set forth in ORS 483.502 to 483.536.

(4) No vehicle or combination of vehicles, including any load thereon, shall, except as set forth in subsection (2) or (3) of this section, have:

(a) Any gross individual wheel weight in excess of 10,000 pounds;

(b) Any gross axle weight in excess of 20,000 pounds, except on any part of the Federal Interstate Highway System the weight shall not exceed 18,000 pounds;

(c) Any gross tandem axle weight in excess of 34,000 pounds, except on any part of the Federal Interstate Highway System the weight shall not exceed 32,000 pounds;

(d) Any gross weight of any group of axles in excess of that set forth in the tables of weights in subsection (3) of ORS 483.524; or

(e) Any gross vehicle or combination of vehicles weight in excess of 60,000 pounds, or in excess of the weights set forth in the tables in subsections (3) and (4) of ORS 483.524, whichever is less.

(5) Nothing contained in subsection (2) or (3) of this section shall be deemed to authorize operation, without a permit issued pursuant to ORS 483.520 to 483.528, of any combination of vehicles having any gross weight in excess of that authorized in paragraph (e) of subsection (4) of this section. Subsections (2) and (3) of this section do not apply to highways that are a part of the Federal Interstate Highway System, in so far as the provisions of those subsections may be in conflict with title 23 U.S.C. §127.

[Amended by 1953 c.691 §12; 1959 c.199 §1; last sentence of subsection (4) enacted as 1959 c.199 §2; 1967 c.474 §1; 1969 c.439 §1; 1973 c.257 §1]

483.508 Restrictions on number of vehicles in a combination; coupling devices. (1) No combination of vehicles coupled together shall consist of more than two vehicles, except as authorized by permits issued pursuant to ORS 483.520 or 483.528, and except that in drive-away operations as many as three vehicles may be coupled together by a double saddle-mount method or by a single saddle-mount and tow bar method.

(2) When one vehicle is towing another, the tow bar, coupling device and other connections shall be of sufficient strength to hold the weight of the towed vehicle upon any grade of any highway where operated, and unless the towed vehicle is temporarily disabled, such connections shall be properly mounted without excessive slack but with sufficient play to allow for universal action of the connections and provided with a suitable locking means to prevent accidental separation of the towed and towing vehicles.

(3) When any vehicle is towing another vehicle and the connection between the vehicles is a chain, rope, cable or any flexible material, a red flag or cloth not less than 12 inches square shall be displayed upon the connection.

(4) No person shall operate a combination of vehicles when any trailer, semitrailer, pole trailer or other vehicle being towed whips or swerves from side to side dangerously or unreasonably, or fails to follow substantially in the path of the towing vehicle.

(5) Any towed vehicle in a combination of vehicles, except a temporarily disabled vehicle being towed by another vehicle and except a semitrailer coupled to a towing vehicle with a fifth wheel and kingpin assembly so designed that the upper and lower halves may not be separated without being manually released, and except a dolly without a tow bar, shall be equipped with safety chains or cables as specified under subsection (6) of this section:

(a) So connected to the towed and towing vehicle and to the tow bar as to prevent the tow bar from dropping to the ground in the event the tow bar or coupling device fails.

(b) Having a tensile strength equivalent to the gross weight of the towed vehicle and a means of attachment to the towed and towing vehicle of sufficient strength to control the towed vehicle in event the tow bar or coupling device fails.

(c) Attached with no more slack than shall be necessary to permit proper turning.

(6) Towed vehicles having a gross weight of 5,000 pounds or less shall be equipped with one or more safety chains or cables. Towed vehicles having a gross weight in excess of 5,000 pounds shall be equipped with one or more safety chains or cables.

(7) Any coupling device on any towing vehicle used as a connection for the tow bar on any towed vehicle having a gross weight in excess of 5,000 pounds shall be firmly attached to the frame or to a solid connection to the frame and not only to the bumper of the towing vehicle.

(8) The Workmen's Compensation Board is authorized to determine the adequacy of any coupling device.

(9) Subsection (1) of this section does not apply to a combination of three or less implements of husbandry.

[Amended by 1953 c.691 §12; 1957 c.621 §2; 1965 c.156 §1; subsection (9) enacted as 1965 c.398 §12; 1967 c.192 §1; 1967 c.524 §4; 1969 c.170 §1]

483.510 Sifting or leaking loads; permit for food processing by-products. (1) Except as provided in subsection (2) of this section, no vehicle shall be driven or moved on any highway unless it is so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

(2) Upon receipt of an application, the Department of Transportation, county court, or board of county commissioners, or the city council shall grant a written permit for the operation over highways or streets under their respective jurisdictions of vehicles transporting food processing plant by-products to be used for livestock feed from which there is fluid leakage. Such permits shall be issued for a maximum period of 60 days and shall be revocable if it is found by the granting authority that the amount or character of the fluid leakage is such that it constitutes a danger to other vehicles. This subsection shall have no effect after December 31, 1974.

[Amended by 1969 c.397 §1; 1973 c.278 §1]

483.512 Sleds prohibited except with permit. No person shall move any sled or other device that does not move exclusively on revolving wheels or rotating tracks in contact with the surface of the highway, having a gross weight, including load, in excess of 500 pounds, upon any highway without first obtaining permission for the movement as provided in ORS 483.528.

483.514 Dragging object on highway prohibited. No logs, poles, piling or other thing shall be dragged upon or over the surface of any highway without the written permission of the Department of Transportation, if a state highway, the county court or board of county commissioners, if a county highway, or the city council, if a city street over which no state highway is routed pursuant to ORS 373.010.

483.516 Pneumatic tires, when required. No vehicle shall be operated on any highway unless equipped with pneumatic tires, except:

(1) Any implement of husbandry equipped with solid tires, or metal tires not prohibited in ORS 483.518, and having a gross vehicle weight not in excess of 7,000 pounds and a gross axle weight of any axle not in excess of 3,500 pounds.

(2) That vehicles operated exclusively within the corporate limits of any city may be equipped with solid tires that, subject to the maximum gross axle weight authorized in subsection (1) of ORS 483.506, will at all times maintain a cushion of elastic material between the surface of the highway and any metal part of any wheel of the axle or track of the vehicle, of a thickness not less than:

(a) When the gross axle weight is 6,500 pounds or less, one inch.

(b) When the gross axle weight is more than 6,500 pounds but not in excess of 11,000 pounds, one and one-quarter inches.

(c) When the gross axle weight is more than 11,000 pounds, one and one-half inches.

483.518 Metal objects on tires permitted; conditions. (1) Any vehicle equipped with any tire having on its periphery any block, stud, cleat, bead, chain or other protuberance of metal or other inflexible material that projects beyond the tread or traction surface of the tire shall not be operated upon any highway, except:

(a) Vehicles actually engaged at the time in construction or repair of highways in this state.

(b) Traction engines moved upon dirt or unimproved roads.

(c) Vehicles equipped with skid chains of reasonable proportions required for safe operation because of snow, ice or other inclement weather conditions.

(d) Between November 1 of any year and April 30 of the following year, vehicles equipped with any tire having on its periphery studs of metal or other material extending

beyond the tread surface of the tire not less than four-hundredths (.04) inch nor more than six-hundredths (.06) inch and made of such material that the studs will wear, through use, at the same rate as the tread surface of the tire. When the preservation of the highway surface or the safety of the traveling public so indicates, the Department of Transportation shall have the authority to shorten or lengthen the period for the permissible use of such tires in any area of the state specifically designated by the department.

(e) School busses as defined in ORS 483.022.

(f) Authorized emergency vehicles as defined by ORS 483.002.

(2) Notwithstanding the provisions of subsection (1) of this section, the owner or lessee of any land adjoining any highway may without permit move across or along the highway any tractor or implement of husbandry for the purpose of planting, cultivating, caring for or harvesting any crop, on condition that he shall be liable to the State of Oregon for the benefit of the State Highway Fund with respect to state highways, or to the proper county for the benefit of the county road fund with respect to county highways, for any damage or injury done to the highway by the movement.

[Amended by 1967 c.149 §1; 1971 c.466 §1; 1973 c.123 §1]

483.520 Authority to issue permits for continued operation of vehicles exceeding length, weight or width limits, or for special combinations of vehicles. (1) The Department of Transportation, county courts or boards of county commissioners and city councils may, in their sole discretion, grant written permits for the operation over state and county highways and city streets, or sections thereof, under their respective jurisdictions, of any vehicle or combinations of vehicles, including any load thereon, having:

(a) A length in excess of that authorized in subsections (4) and (5) of ORS 483.504;

(b) A gross vehicle or combination of vehicles weight in excess of that authorized in subsection (4) of ORS 483.506; and

(c) In the case of vehicles engaged in hauling other motor vehicles, a height in excess of that authorized by subsection (3) of ORS 483.504 but not in excess of 14 feet.

(2) The granting authorities named in subsection (1) of this section may, in their sole discretion, grant written permits for the operation over state and county highways and city streets, or sections thereof, under their respective jurisdictions, of any single vehicle, engaged in the transportation of peeler bolts, blocks, cores, railroad ties, logs or poles loaded crosswise of the vehicle, having an overall width of load thereon in excess of that authorized in subsection (1) of ORS 483.504, but not in excess of eight and one-half feet, if it is determined by a trial load that the vehicle with load thereon, moving in a normal manner, can stay on the right side of the center line of the traveled way at all times and that there is sufficient room in the opposing traffic lane for the safe movement of other vehicles.

(3) Such authorities may issue permits for the operation of combinations of vehicles consisting of a truck tractor and semitrailer drawing one trailer or a truck tractor and semitrailer drawing one additional semitrailer mounted on a dolly equipped with a fifth wheel and may authorize the operation of such combinations of vehicles upon designated highways, roads and streets pursuant to ORS 483.525.

(4) Such authorities may issue permits for the operation of combinations of vehicles consisting of not more than three trailers or semitrailers designed to carry property upon designated highways, roads and streets during such period of the year as prescribed by the granting authority. Such a combination of vehicles shall not exceed 105 feet in length and the trailing units shall be reasonably uniform in length. Any such combination of vehicles shall have available for its propulsion sufficient motive power to maintain a ratio of gross vehicle weight of the combination to the net horsepower available for movement of the vehicle not greater than 400 to 1.

[Amended by 1953 c.691 §12; 1959 c.292 §1; 1963 c.205 §2; 1965 c.68 §4; 1967 c.219 §1; 1967 c.524 §2; 1973 c.257 §2]

483.522 General provisions of permits; cancellation. (1) No permit issued under ORS 483.520 shall be valid:

(a) For operation over any highway or street, or section thereof, not specified in the permit;

(b) For the operation of any vehicle or combination of vehicles not specified in the permit; or

(c) For the operation of any vehicle or combination of vehicles, including any load thereon, having an overall width or length or gross weight in excess of the maximum width, length or gross weight specified in the permit.

(2) The granting authority shall make and set forth in the permit such regulations as are necessary to prevent damaging the highways and streets and overstressing highway and street facilities, and to protect the public welfare.

(3) Any permit issued under ORS 483.520 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 when in the judgment of the granting authority the public interest requires cancellation.

483.524 Conditions of permits for excess length or weight; axle group and gross weight limits. In the granting of permits under ORS 483.520 the granting authority shall observe and be governed by the following controls on maximum lengths and gross weights:

(1) Any vehicle or combination of vehicles, including any load thereon, having an overall length of not more than 105 feet may be permitted to operate over state or county highways or city streets if it is determined by a trial load that the vehicle or combination of vehicles, including any load thereon, moving in a normal manner, can stay on the right side of the center line of the traveled way at all times and that there is sufficient room in the opposing traffic lane for the safe movement of other vehicles. However, the granting authority may permit the operation over state or county highways or city streets, under its jurisdiction, of combinations of vehicles having an overall length, including any load thereon, in excess of 65 feet, for the transportation of logs, poles, piling or structural timbers. If the movement of combinations of vehicles transporting logs, poles, piling or structural timbers cannot be confined to the right side of the highway and satisfactory flagging and traffic controls can be set up to protect and not unreasonably delay the traveling public, the granting authority may permit limited movements only for the transportation of logs, poles, piling or structural timbers which may restrict the passing of other vehicles. In the issuance of permits under this subsection for the transportation of logs, poles, piling or structural timbers in excess of 65 feet overall length, the granting authority may, in its discretion, require the applicant to furnish public liability and property damage insurance and indemnity insurance or an indemnity bond in such adequate sums as may be fixed by the granting authority, in the same manner and for the same purposes as provided in subsections (1) and (2) of ORS 483.528.

(2) The gross weight of any individual wheel, axle, or tandem axles of any vehicle or combination of vehicles shall not exceed the maximum gross wheel, axle and tandem axle weights set forth in ORS 483.506.

(3) The gross weight of any group of axles of any vehicle or combination of vehicles, when the distance between the first and last axles of any group of axles is 18 feet or less, and the gross weight of any vehicle when the distance between the first and last axles of all of the axles of the vehicle is 18 feet or less, shall not exceed that set forth in the following table of weights:

Distance in feet between the first and last axles of any group of axles of any vehicle or combination of vehicles, or between the first and last axles of all the axles of any vehicle:	Maximum gross weight, in pounds, of any group of axles of any vehicle or combination of vehicles, or of any vehicle:
6	32,200
7	32,900
8	33,600
9	36,000
10	36,000
11	36,000
12	36,400
13	37,100
14	43,200
15	44,000
16	44,800
17	45,600
18	50,000

(4) Except as provided in subsection (5) of this section, the gross weight of any vehicle or combination of vehicles, where the distance between the first and last axles of the vehicle or combination of vehicles is more than 18 feet, shall not exceed that set forth in the following table of weights:

Distance in feet between the first and last axles of all the axles of a vehicle or combination of vehicles:	Maximum gross weight, in pounds, of any vehicle or combination of vehicles:
19	50,000
20	50,000
21	50,000
22	50,000
23	50,400
24	51,200
25	55,250
26	56,100
27	56,950
28	57,800
29	58,650
30	59,500

31	60,350
32	61,200
33	62,050
34	62,900
35	63,750
36	64,600
37	65,450
38	66,300
39	68,000
40	70,000
41	72,000
42	73,280
43	73,280
44	73,280
45	73,280
46	73,280
47	73,280
48	73,280
49	73,280
50	73,280
51	73,280
52	73,600
53	74,400
54	75,200
55 or over	76,000

(5) The maximum gross weight of any combination of vehicles consisting of a truck tractor with a tandem rear axle and a pole trailer with a tandem axle and having an overall wheelbase length, measured from the first axle to the last axle of the combination of vehicles, of more than 40 feet, when used in the transportation of logs, poles or piling, may be equal to but shall not exceed the maximum gross weight set forth in the table of weights in subsection (4) of this section for a combination of vehicles having an overall wheelbase seven feet greater in length upon such highways or portions of highways as designated by the department.

(6) The distance between axles shall be measured to the nearest foot. When a fractional measurement is exactly one-half foot the next larger whole number shall be used.
[Amended by 1953 c.691 §12; 1959 c.214 §1; 1961 c.512 §1; 1963 c.141 §1; 1967 c.524 §3]

483.525 Authority to permit operation of vehicles of excess weight or length over certain highways. (1) "Granting authority," as used in this section, means the department, a county court or board of county commissioners, or a city council.

(2) When in the judgment of the granting authority any highway, road or street or section thereof under the jurisdiction of the granting authority is capable of carrying any vehicle or combination of vehicles having a gross weight in excess of that authorized in subsection (4) of ORS 483.506, or an overall length in excess of that authorized in subsection (4) of ORS 483.504, the granting authority may by resolution so declare, and fix the maximum gross weight, length and types and classes of vehicles or combinations of vehicles which may be operated thereon. Granting authorities may, in accordance with this subsection, authorize vehicles or combinations of vehicles engaged in hauling other motor vehicles, having a height in excess of that authorized by subsection (3) of ORS 483.504 but not in excess of 14 feet, to be operated on any such highway, road or street or section thereof. In fixing such maximum gross weights and lengths the granting authority shall be governed by the provisions of ORS 483.524.

(3) The provisions of any resolution adopted pursuant to this section may by resolution be changed or rescinded at any time, and shall be subject to any order made pursuant to ORS 483.532.

(4) (a) After a resolution is adopted and filed as provided in paragraph (b) of this subsection, no permit shall be required for the operation upon such highway, road or street or section thereof of a vehicle or combination of vehicles not exceeding the maximum gross weight and length fixed by the resolution for vehicles or combinations of vehicles of that type and class.

(b) A duplicate original of a resolution adopted under this section, and an amendment to or revocation of such a resolution, shall be filed with the Secretary of State.
[1953 c.691 §12; 1961 c.51 §1; 1965 c.68 §1; 1967 c.219 §2; 1973 c.257 §3]

483.526 [Repealed by 1973 c.249 §91]

483.528 Permit for special movement of noncomplying vehicle or article; permit for operation of noncomplying vehicle used for highway construction. (1) Upon receipt of an application for permission to move over any highway or street any vehicle, combination of vehicles, article, property or thing having any gross weight in excess of that permitted under ORS 483.502 to 483.526, or of a size or description not permitted under ORS 483.502 to 483.526, the Department of Transportation or the county court or board of county commissioners or the city council, as the case may be, shall investigate the representations made in the

application, and if in the judgment of the public authority having jurisdiction over the highway or street the interests of the public will be served by the proposed movement, such authority may grant a written permit for a single trip or for continuous operation not to exceed one year over any highway or street under its jurisdiction. Such permits shall not be issued for vehicles or loads that can be readily or reasonably dismantled or disassembled to reduce weight or width; provided, however, permits may be issued for a maximum width of nine feet for built-up or reducible loads. The application for any such permit shall be in writing, shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular highways for which permit to operate is requested, and whether such permit is requested for a single trip or for continuous operation. Any person who misrepresents the size or weight of any vehicle or vehicles and load in obtaining a special permit shall be deemed guilty of a violation of the permit and upon conviction thereof shall be punished as provided in ORS 483.994.

(2) The granting authority is authorized to issue or withhold such permit at its discretion; or, if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the movement or movements may be made on the highways indicated, or otherwise to limit or prescribe such additional terms and conditions as the granting authority deems necessary or desirable for protection of the highways and streets and the public interests. The granting authority may require the applicant to furnish public liability and property damage insurance in a sum fixed by the granting authority, and indemnity insurance or an indemnity bond in a sum fixed by the granting authority, indemnifying such authority for any damage to the highways or streets that may be caused by the movement, and indemnifying the members, officers, employes and agents of such authority from any claim that might arise on account of the granting of the permit and the use of the highways in any movement permitted under the provisions of this section.

(3) No movement of any vehicle, combination of vehicles, article, property or thing under the provisions of this section shall begin until a written permit has been granted and the required public liability and property damage insurance and indemnity insurance or indemnity bond have been filed with and accepted by the granting authority.

(4) The granting authority may appoint any of its officers, employes or agents to be present at and during the movement, but the presence of any officer, employe or agent and any interference or suggestion made by him shall not be considered supervision of the movement and shall not relieve the person to whom the permit has been granted, or his insurers or sureties, from liability for any damage done by the movement. If, in the opinion of the officer, employe or agent, any of the terms and conditions of the permit are not being complied with, he may order the movement to be stopped.

(5) No permit issued under this section shall be valid:

(a) For operation over any highway or street, or section thereof, not specified in the permit;

(b) For the operation of any vehicle or combination of vehicles not specified in the permit;

(c) For the operation of any vehicle or combination of vehicles, including any load thereon, or any article, property or thing having any dimension or any gross weight in excess of the maximum dimensions and maximum gross weights specified in the permit; or

(d) For the movement of any load of a description not specified in the permit.

(6) The Department of Transportation, county courts or boards of county commissioners and city authorities, with respect to highways, roads and streets under their respective jurisdictions, may issue permits, subject to the provisions of this section, for continuing operation of vehicles or combinations of vehicles having any gross weight in excess of that permitted under ORS 483.502 to 483.526, or a size or description not permitted under ORS 483.502 to 483.526, when such vehicles or combinations of vehicles will be used exclusively in the construction, maintenance or repair of a public highway, road or street pursuant to a contract with the Federal Government, the State of Oregon or any county or city.

(7) Any permit issued under this section 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.

(8) If any of the provisions of the 1961 amendment to this section are found to contravene section 127 of title 23, United States Code, it shall not serve to render inoperative any of the remaining provisions of the 1961 amendment to this section that may be held not to be in conflict with section 127 of title 23, United States Code.

[Amended by 1953 c.691 §12; 1957 c.10 §1; 1961 c.295 §1; subsection (8) enacted as 1961 c.295 §2; 1965 c.334 §1]

483.530 Carrying permit in vehicle. The driver or chauffeur of any vehicle or combination of vehicles having any gross weight in excess of that permitted under the provisions of subsection (4) of ORS 483.506, or of a size or description in excess of that permitted under the provisions of ORS 483.504, shall have either a permit or a permit identification card authorizing operation of the vehicle or combination of vehicles issued pursuant to the provisions of ORS 483.520 to 483.524 or 483.528 in his immediate possession at all times when driving the vehicle or combination of vehicles upon a public highway, road or street, and shall display the same upon demand of any peace officer, department weighmaster, judicial officer, or the Director of Permits of the department, unless operation of the vehicle or combination of vehicles is authorized by a resolution adopted pursuant to the provisions of ORS 483.525. It shall be a defense to any charge under this section if the person so charged produces in court a permit authorizing the operation of the vehicle or combination of vehicles issued prior to and valid at the time of his arrest.

[Amended by 1953 c.691 §12; 1965 c.68 §2; 1973 c.257 §4]

483.532 Public bodies authorized to restrict use of highways. (1) The Department of Transportation, the governing body of a county and the city council, with respect to highways or streets under their respective jurisdictions, may:

(a) Prohibit the operation thereon of any or all vehicles or any class or kind of vehicles.

(b) Impose limits as to any gross weight or any dimension of any vehicle or combination of vehicles.

(c) Reduce speeds of vehicles.

(d) Impose any other restrictions that in their judgment are necessary to protect any highway or section thereof from being unduly damaged.

(2) The Department of Transportation, the governing body of a county and the city council, with respect to highways or streets under their respective jurisdictions, may designate speeds for vehicles upon any portion of the highway or street upon which temporary conditions constituting a danger to the public exist or above, below or upon which construction or maintenance work is being carried on so close to the roadway as to be a danger to passing traffic or to be endangered by passing traffic. The operation of a vehicle in excess of any speed designated under this subsection shall be prima facie evidence of violation of ORS 483.102.

(3) Any restrictions or limitations imposed under subsection (1) or (2) of this section shall be imposed by a proper order. A sign giving notice of the restrictions or limitations contained in the order shall be maintained in a conspicuous manner and place at each end of the highway or section of highway affected thereby, and at such other places as may be necessary to inform the public. Such restrictions or limitations shall be effective when the signs giving notice thereof are erected, and no person shall operate any vehicle or combination of vehicles in violation thereof.

[Amended by 1953 c.691 §12; 1971 c.273 §1]

483.534 Weighing of vehicles on highway; detention of vehicle until its load complies with statutes or permit; tolerances. (1) Any peace officer or any person duly authorized by the department as a weighmaster may stop, measure and weigh any vehicle or combination of vehicles by means of either portable or stationary measures and scales, and having reason to believe that any vehicle or combination of vehicles, including any load thereon, is unlawful, or having reason to believe that the combined weight of any vehicle exceeds the combined weight declared as provided in ORS 481.220, may require that such vehicle or combination of vehicles be driven to the nearest scales, in the event such scales are within five miles. Where it is necessary for the vehicle or combination of vehicles to reverse direction in order to proceed to the scales, the peace officer or weighmaster shall assist the driver of the vehicle or combination of vehicles so that the turning movement can be made in safety. If he finds that the vehicle or combination of vehicles, including any load

thereon, is of any dimension or has any gross weight not authorized by ORS 483.502 to 483.536 or not authorized by the terms of any permit issued pursuant to ORS 483.520 to 483.528, he shall require the driver or chauffeur to stop the vehicle or combination of vehicles in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce any dimension and any gross weight to the limits authorized by the statute or permit.

(2) The driver or chauffeur of any vehicle shall stop and submit the vehicle or combination of vehicles to measurement and weighing, and shall comply with the directions of any peace officer or weighmaster given pursuant to this section. All material or goods removed from the load shall be removed and cared for by the driver, chauffeur or owner of the vehicle or combination of vehicles at his risk.

(3) Except as to vehicles operating under permits issued pursuant to ORS 483.528, the peace officer or weighmaster may, within his discretion, permit the driver to proceed without removing the excess dimensions or weights if the amount of excess gross weight does not exceed the following:

Individual wheel	500 pounds
Axle	1,000 pounds
Tandem axles	2,000 pounds
Group of axles	3,000 pounds
Vehicle or combination of vehicles	4,000 pounds.

(4) Discretionary action by the peace officer or weighmaster under subsection (3) of this section does not relieve the driver or chauffeur and owner of the vehicle or combination of vehicles of any criminal or other liability or responsibility.

[Amended by 1953 c.691 §12; 1957 c.539 §1; 1959 c.152 §9]

483.536 Methods of determining gross weights. (1) For the purpose of determining any gross weight, actual scale weights shall govern. In the absence of information as to scale weights or of convenient facilities for ascertaining scale weights, the weights furnished by dealers, manufacturers or their agents, as to the weights of vehicles and parts of vehicles, and bills of lading or cargo manifests as to weights of loads, may be accepted as the weights thereof, but such weights shall be subject at all times to verification by actual weights subsequently ascertained.

(2) For any of the purposes of ORS 483.502 to 483.536, any gross weight may be measured and determined as follows:

(a) The gross weight of any wheel may be ascertained by placing a loadometer or other portable weighing device underneath the wheel and raising it off the surface of the ground, or by placing any wheel on a platform scale in a position so that the other wheels of the vehicle do not bear upon the platform of the scale.

(b) The gross axle weight of any axle may be ascertained by placing a loadometer or other portable weighing device underneath the outer wheels at both ends of the axle and raising all the wheels of the axle off the surface of the ground so as to weigh the entire axle at one time, or otherwise in the usual manner of the use of weighing devices, or may be ascertained by placing all the wheels of any axle on a platform scale in a position so that the other wheels of the vehicle do not bear upon the platform of the scale.

(c) The gross weight of any tandem axles and the gross weight of any group of axles shall be the sum of the gross axle weights of all the axles comprising the tandem axles or the group of axles, or may be ascertained by placing all the wheels of the tandem axles or the group of axles on a platform scale in a position so that the other wheels of the vehicle or combination of vehicles do not bear upon the platform of the scale. If it is not practical to place only the wheels of the tandem axles or group of axles in a position so that other wheels of the vehicle or combination of vehicles do not bear upon the platform of the scale, other wheels of the vehicle or combination of vehicles may be placed on the platform of the scale and the gross weight of the tandem axles or the gross weight of the group of axles shall be determined by subtracting from the gross weight of all the wheels upon the platform of the scale the gross weight of the wheels not comprising the tandem axles or the group of axles.

(d) The gross weight of any vehicle or combination of vehicles shall be the sum of the gross axle weights of all the axles of the vehicle or combination of vehicles, or may be ascertained by placing all the wheels of a vehicle or combination of vehicles on a platform scale.

[Amended by 1953 c.691 §12]

483.538 Passengers in front seat; interfering with driver; in house trailer. (1) No driver shall operate a vehicle:

(a) Which is so loaded as to obstruct his view to the front or sides or to interfere with his control or with the driving mechanism of the vehicle.

(b) When he has in his lap or in his embrace another person, baggage or encumbrance which prevents the free and unhampered operation of such motor vehicle.

(2) No passenger in a vehicle or streetcar shall ride in such position as to interfere with the driver's or operator's view ahead or to the sides, or to interfere with the driver's or operator's control of the driving mechanism of the vehicle or streetcar.

(3) No person shall operate a vehicle on the highway while towing a mobile home or travel trailer, as defined by ORS 481.021, containing a passenger.

[Amended by 1963 c.76 §1; 1969 c.425 §1; 1973 c.440 §1]

483.540 Carrying dog or child on external part of motor vehicle. (1) No person shall carry a dog upon a public street or highway upon the hood, fender, running board or other external part of any automobile or truck unless the dog is protected by framework, carrier or other device sufficient to keep it from falling from the vehicle.

(2) No person shall carry any child upon a public street or highway upon the hood, fender, running board or other external part of any motor vehicle.

483.542 Designation of streets, roads or highways as truck routes. The Department of Transportation, with respect to state highways outside the corporate limits of incorporated cities or towns, and the county courts or boards of county commissioners, with respect to county roads outside the corporate limits of incorporated cities or towns, and the municipal authorities of any incorporated city or town, with respect to streets, roads or highways within the limits of an incorporated city or town, may designate any street, road or highway or section thereof as a truck route and may prohibit the operation of trucks, machinery or any other large or heavy vehicles upon any street, road or highway which serves the same route or area served by the said truck route. The municipal authorities of an incorporated city or town shall not designate as a truck route, or prohibit the operation of any vehicle upon, any street, road or highway under the jurisdiction of the Department of Transportation or any county, without the written consent of the department or the county court or board of county commissioners, as the case may be.

[1953 c.257 §1]

483.544 Truck route designation to be by order, resolution or ordinance; erecting appropriate signs; when prohibitions are effective; violation prohibited. The Department of Transportation, any county court or board of county commissioners or any city council making any designation, or prohibiting any operation, as authorized by ORS 483.542, shall do so by a proper order, resolution or ordinance, and shall erect and maintain a sign giving notice of the order, resolution or ordinance, in a conspicuous manner and place at each end of the highway or section of highway affected thereby, and at such other places as may be necessary to inform the public, and the designation or prohibitions shall be effective when the signs giving notice thereof are erected, and no person shall operate any vehicle or combination of vehicles in violation thereof.

[1953 c.257 §2]

483.545 Authority of transportation department to increase size and weight limits. (1) If federal law permits various states to establish size and weight limits in excess of those in ORS 483.502 to 483.526, the department, as provided in subsection (2) of this section, may authorize the movement on highways under its jurisdiction of vehicles or combinations of vehicles of a size or weight in excess of the limits in ORS 483.502 to 483.526 but within the limits necessary to qualify for federal-aid highway funds.

(2) The authority granted the department by this section shall be exercised by adoption of a resolution pursuant to ORS 483.525 or by issuance of permits pursuant to ORS 483.520 to 483.528, except that the maximum size and weight limits authorized by this section apply.

[1965 c.34 §2]

ACCIDENTS

483.602 Duties of drivers and witnesses at accidents. (1) The driver of any vehicle involved in an accident which results in injury or death to any person or causes

damage to a vehicle which is driven or attended by any person, immediately shall stop such vehicle at the scene of the accident, or as close thereto as possible, and shall remain at the scene of the accident until he has fulfilled the requirements of subsection (2) of this section. Every such stop shall be made without obstructing traffic more than is necessary.

(2) The drivers of any vehicles involved in any accident resulting in injury or death to any person or damage to any such vehicles shall:

(a) Give to the other driver or surviving passenger, or any person not a passenger injured as a result of such accident, his name, address and the registration number of the vehicle which he is driving, and the name and address of any other occupants of such vehicle.

(b) Upon request and if available, exhibit and give the number of his operator's or chauffeur's license to the persons injured, or to the occupant of or person attending any vehicle damaged.

(c) Render to any person injured in such accident reasonable assistance, including the conveying or the making of arrangements for the conveying of such person to a physician, surgeon or hospital for medical or surgical treatment, if it is apparent that such treatment is necessary or if such conveying is requested by any injured person.

(3) Any witness to the accident shall furnish to the driver or occupant of such vehicles, or injured person, his true name and address.

[Amended by 1953 c.7 §3]

483.604 Driver's duties when he collides with unattended vehicle or other property. (1) The driver of any vehicle which collides with any vehicle which is unattended immediately shall stop and:

(a) Locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle; or

(b) Leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof.

(2) The driver of any vehicle involved in an accident resulting only in damage to fixtures or property legally upon or adjacent to a highway shall:

(a) Take reasonable steps to notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving.

(b) Upon request and if available, exhibit his operator's or chauffeur's license.

(c) Make report of such accident as required in ORS 483.606 to 483.610.

483.606 Accident reports required. (1) The driver of any vehicle involved in an accident resulting in injury or death to any person or damage to the property of any one person in excess of $200 shall, within 72 hours, forward a complete written report of such accident to the sheriff of the county, or to the chief of police of the city in which such accident occurs, or to such other agency as the Motor Vehicles Division may establish for the purpose of receiving such accident reports. Every sheriff, chief of police or other designated agency shall forward every report so filed, or a copy of the same, to the Motor Vehicles Division upon forms furnished by the division not later than seven days following the date of filing.

(2) Whenever the original report is insufficient in the opinion of the Motor Vehicles Division, the division may require drivers involved in accidents to file supplemental reports of accidents, and may also require witnesses of accidents to render reports to the division.

(3) Whenever the driver of a vehicle is physically incapable of making a required accident report and there was another occupant in the vehicle at the time of the accident capable of making a report, such occupant shall make or cause the report to be made.

[Amended by 1963 c.12 §1; 1971 c.606 §1]

483.608 Form of report; sending death certificate to division. (1) The division shall prepare and upon request supply to police departments, sheriffs and other suitable agencies or individuals, forms for accident reports required in ORS 483.606 and 483.611. The report shall call for sufficiently detailed information to disclose with reference to a traffic accident the cause, conditions then existing, and the persons and vehicles involved.

(2) Every required accident report shall be made on a form approved by the division. The division shall consult with the Oregon State Police and city and county law enforcement officials before it approves a form for accident reports required by ORS 483.611.

(3) The Administrator of the Health Division shall on or before the 15th day of each month forward to the division a copy of the death certificate covering the death, resulting from a motor vehicle accident, of any persons within his jurisdiction during the preceding calendar month.
[Amended by 1967 c.500 §5]

483.610 Confidential nature of report; publication of statistics; city authorized to require accident report. (1) All accident reports made to the Motor Vehicles Division or to any sheriff, chief of police or other authorized agent shall be without prejudice to the individual so reporting and shall be for the confidential use of state administrative and enforcement agencies.

(2) The Motor Vehicles Division, upon written request, shall, if available, disclose the following information to any party involved in the accident, or, in the event of his death, to any member of his family, or his personal representatives:

(a) The identity of the owner, driver, occupants and the license number of a motor vehicle involved in an accident;

(b) The names of any companies insuring said owner or driver; and

(c) The identity of any witnesses to said accident.

(3) No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident. The Motor Vehicles Division shall furnish upon demand of any person who has, or claims to have, made such a report or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the Motor Vehicles Division, solely to prove a compliance or a failure to comply with the requirement that such a report be made to the division.

(4) The Motor Vehicles Division shall tabulate and may analyze all accident reports and shall publish annually, or at more frequent intervals, statistical information based thereon as to the number and circumstances of traffic accidents.

(5) Any incorporated city may by ordinance require that the driver of a vehicle involved in an accident file with a designated city department a report of such accident or a copy of any report required to be filed under ORS 483.606. All such reports shall be for the confidential use of the city department but subject to the provisions of subsections (1) and (2) of this section.
[Amended by 1957 c.560 §1]

483.611 Accident reports by police; status of report. (1) A police officer shall submit to the division a written report within 10 days:

(a) After he investigates a vehicle accident in which a report is required by ORS 483.606 or 483.612; or

(b) After he prepares a written report of an accident investigated at the time and place of the accident or by field interviews with the participants or witnesses.

(2) Notwithstanding subsection (1) of this section, an officer is not required to submit a report until 10 days after the conclusion of proceedings involving an offense described by ORS 163.091 or subsection (5) of ORS 484.010 arising out of the accident.

(3) The reports submitted to the division under subsection (1) of this section are not privileged or confidential.
[1967 c.500 §4]

483.612 Report of vehicles brought to garage or repair shop showing accident or bullet contact. (1) The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in a serious accident or struck by any bullet shall report to the nearest police station or sheriff's office within 24 hours after such motor vehicle is received, giving the engine number, registration number and the name and address of the owner or operator of such vehicle.

(2) An additional report need not be made under this section when the owner of the vehicle is also the owner of the garage or repair shop and he has made a report under ORS 483.606 which includes the information required by this section.

483.614 Driver's duty to help animals. Any person operating a motor vehicle or motorcycle which strikes and injures any domestic animal shall stop and give such animal reasonable attention.

483.616 [Subsections (3) and (4) of 1957 Replacement Part enacted as 1953 c.587 §5 and 1953 c.257 §4; repealed by 1959 c.664 §30]

483.618 [Repealed by 1959 c.664 §30]

BAIL; OVERLOADING VIOLATIONS

483.620 When automobile association membership card is acceptable as bail. (1) Any automobile association incorporated under the laws of this state may deposit with

the State Treasurer the sum of $2,000 in cash, or in bonds approved by the State Treasurer. When such deposit is made and maintained, the unexpired membership card of any member of the association shall be accepted by any magistrate or officer of this state authorized to take bail when tendered as bail by any member of the association arrested for the violation of any motor vehicle law of this state, or traffic ordinance of any city in this state, if the bail in any individual case does not exceed $50.

(2) If any such member depositing his membership card as bail fails or neglects to appear in court at the time and place required, the magistrate or other officer before whom the case is brought, upon declaring a forfeiture of the bail, shall at once notify the association of the forfeiture, and the amount thereof, by mail. The association shall, within five days after the receipt of such notice, remit the amount of the bail so forfeited to the magistrate or other officer. If such association fails or refuses to remit the bail within that period, the magistrate or other officer having the matter in charge, or the district attorney, shall notify the State Treasurer, who shall thereupon pay the amount of the bail to the officer or magistrate lawfully entitled to receive it, deduct that amount from the amount of deposit with him by such association, and immediately notify such association and require it to deposit a like sum with him. If the association fails or neglects for a period of 10 days so to do, the membership cards of such association shall not thereafter be accepted as bail while the default continues. Upon the payment of the bail by the association, the membership card so deposited shall be immediately returned to such association by the officer who accepted it as bail.

483.622 [Repealed by 1959 c.664 §30]

483.624 [Repealed by 1959 c.664 §30]

483.626 [Repealed by 1959 c.664 §30]

483.628 Driver or chauffeur may be exonerated from overloading violation if in good faith. (1) In any prosecution for any violation punishable under ORS 481.202 or 483.996, of any driver or chauffeur who is employed, by the owner of the vehicle or combination of vehicles involved in the violation, to operate such vehicle or combination, the court or judicial officer shall, upon request of the driver or chauffeur, take appropriate proceedings to make the owner of the vehicle a codefendant.

(2) If it is found that the driver or chauffeur had reasonable grounds to believe that the vehicle or combination of vehicles operated by him as such employe did not violate any provision punishable under ORS 481.202 or 483.996, and if the owner is found guilty of violating any such provision, the court or judicial officer may dismiss the charges against the driver or chauffeur.
[Amended by 1953 c.691 §12; 1959 c.152 §10]

IMPLIED CONSENT LAW

483.630 [Amended by 1955 c.297 §1; 1961 c.713 §1; repealed by 1965 c.574 §13]

483.632 [1965 c.574 §2; repealed by 1967 c.500 §6]

483.634 Implied consent to chemical test; police report of refusal; evidence of refusal inadmissible. (1) Any person who operates a motor vehicle upon the highways of this state shall be deemed to have given consent, subject to ORS 483.634 to 483.646, to a chemical test of his breath for the purpose of determining the alcoholic content of his blood if arrested for driving a motor vehicle while under the influence of intoxicating liquor in violation of subsection (2) of ORS 483.992 or of a municipal ordinance. A test shall be administered upon the request of a police officer having reasonable grounds to believe the person arrested to have been driving while under the influence of intoxicating liquor in violation of subsection (2) of ORS 483.992 or of a municipal ordinance.

(2) If a person under arrest for driving a motor vehicle while under the influence of intoxicating liquor in violation of subsection (2) of ORS 483.992 or of a municipal ordinance, refuses the request of a police officer to submit to a chemical test of his breath as provided in subsection (1) of this section, and if the person has been informed of the consequences of such refusal as provided by ORS 482.540 to 482.560 and of his rights as provided in ORS 483.638, no test shall be given, but the police officer shall prepare a sworn report of the refusal and cause it to be delivered to the division. The report shall disclose:

(a) Whether the person at the time he was requested to submit to a test was under arrest for driving a motor vehicle while under

the influence of intoxicating liquor in violation of subsection (2) of ORS 483.992 or of a municipal ordinance;

(b) Whether the police officer had reasonable grounds to believe, at the time the request was made, that the person refusing to submit to the test had been driving under the influence of intoxicating liquor in violation of subsection (2) of ORS 483.992 or of a municipal ordinance;

(c) Whether the person refused to submit to a test;

(d) Whether such person was informed of the consequences, under ORS 482.540 to 482.560, of his refusal to submit to the test; and

(e) Whether such person was informed of his rights as provided in ORS 483.638.

(3) If a person under arrest refuses to submit to a chemical test of his breath under the provisions of subsection (2) of this section or refuses to consent to chemical tests as provided by ORS 483.636, evidence of his refusal shall not be admissible in any civil or criminal action, suit or proceeding arising out of acts alleged to have been committed while the person was driving a motor vehicle on the highways while under the influence of intoxicating liquor.
[1965 c.574 §3; 1969 c.579 §2]

483.636 Chemical test by consent of arrested person. Nothing in ORS 483.634 is intended to, in lieu of a request for and administration of a breath test, preclude the administration of a chemical test of the blood, urine or saliva of any person if, when requested by a police officer, the person expressly consents to such a test.
[1965 c.574 §5]

483.638 Chemical test at request of arrested person. In addition to a chemical test of the breath, blood, urine or saliva administered upon the request of a police officer, a person arrested for driving a motor vehicle upon the highways of this state while under the influence of intoxicating liquor shall be permitted upon request, at his own expense, reasonable opportunity to have any licensed physician and surgeon, licensed professional nurse or qualified technician, chemist or other qualified person of his own choosing administer a chemical test or tests for the purpose of determining the alcoholic content of his blood. The failure or inability to obtain such a test or tests by a person shall not preclude the admission of evidence relating to a test taken upon the request of a police officer.
[1965 c.574 §8]

483.640 Administering blood test. In conducting a chemical test of the blood, only a duly licensed physician or a person acting under his direction or control may withdraw blood or pierce human tissues.
[1965 c.574 §4]

483.642 Use of chemical analyses to show intoxication. (1) At the trial of any civil or criminal action, suit or proceeding arising out of the acts committed by a person driving a motor vehicle while under the influence of intoxicating liquor, the amount of alcohol in the person's blood at the time alleged as shown by chemical analysis of the person's breath, blood, urine or saliva shall give rise to the following presumptions:

(a) Not more than .05 percent by weight of alcohol in his blood, supports a disputable presumption that he was not then under the influence of intoxicating liquor.

(b) More than .05 percent but less than .10 percent by weight of alcohol in his blood, is indirect evidence that may be used to determine whether or not he was then under the influence of intoxicating liquor.

(c) Not less than .10 percent by weight of alcohol in his blood, supports a disputable presumption that he was then under the influence of intoxicating liquor.

(2) Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred cubic centimeters of blood.

(3) Nothing in this section is intended to limit the introduction of any competent evidence bearing upon the question of whether or not a person has been under the influence of intoxicating liquor.
[1965 c.574 §9; 1971 c.313 §1]

483.644 Manner of conducting chemical analyses; duties of Health Division. (1) Chemical analyses of the person's breath, blood, urine or saliva, to be valid under ORS 483.642, shall be performed according to methods approved by the Health Division and by an individual possessing a valid permit to perform such analyses issued by the Health Division.

(2) The Health Division shall:

(a) Approve techniques or methods of performing chemical analyses that are satisfactory for determining alcoholic content of a person's blood.

(b) Prepare manuals and conduct courses throughout the state for the training of police officers in chemical analyses of a person's breath, which courses shall include, but are not limited to, approved methods and techniques of chemical analyses, use of approved equipment and interpretation of test results together with a written examination on these subjects.

(c) Test and certify the accuracy of equipment to be used by police officers for chemical analyses of a person's breath before regular use of such equipment and periodically thereafter at intervals of not more than 60 days, such tests and certification to be conducted by trained technicians.

(d) Ascertain the qualifications and competence of individuals to conduct such analyses in accordance with one or more methods or techniques approved by the board.

(e) Issue permits to individuals according to their qualifications. Permits shall be issued to police officers only upon satisfactory completion of the prescribed training course and written examination and the permit shall state the methods and equipment which the police officer is qualified to use. Permits shall be subject to termination or revocation at the discretion of the Health Division.
[1965 c.574 §6]

483.646 Reports of chemical analyses; expenses of conducting chemical tests. (1) An individual who performs a chemical analysis of breath, blood, urine or saliva under ORS 483.634 or 483.636 shall prepare and sign a written report of the findings of the test which shall include the identification of the police officer upon whose request the test was administered.

(2) Any individual having custody of the report mentioned in this section shall, upon request of the person tested, furnish that person or his attorney, a certified copy of the report.

(3) The expense of conducting a chemical test as provided by ORS 483.634 and 483.636 shall be paid by the governmental unit on whose equipment the test is conducted.
[1965 c.574 §7]

483.648 Implied consent law not to limit introduction of evidence in certain proceedings. The provisions of the implied consent law, ORS 483.634 to 483.646, except subsection (3) of ORS 483.634 and ORS 483.642, shall not be construed by any court to limit the introduction of otherwise competent, relevant evidence in any civil action, suit or proceedings or to any criminal action other than a violation of subsection (2) of ORS 483.992 or a similar municipal ordinance in proceeding under ORS 482.540 to 482.560.
[1973 c.465 §1]

Note: 483.648 was not added to and made a part of ORS chapter 483 or any series therein by legislative action.

483.652 [1961 c.725 §1; repealed by 1963 c.32 §3]

483.654 [1961 c.725 §4; repealed by 1963 c.32 §3]

483.656 [1961 c.725 §6; repealed by 1963 c.32 §3]

483.658 [1961 c.725 §7; repealed by 1963 c.32 §3]

483.660 [1961 c.725 §8; repealed by 1963 c.32 §3]

483.662 [1961 c.725 §8a; repealed by 1963 c.32 §3]

483.664 [1961 c.725 §9(1), (2), (3); repealed by 1963 c.32 §3]

483.666 [1961 c.725 §5; repealed by 1963 c.32 §3]

VEHICLE EQUIPMENT SAFETY COMPACT

483.668 Definitions for ORS 483.668 to 483.682. As used in ORS 483.668 to 483.682, except where the context otherwise requires:

(1) "Compact" means the Vehicle Equipment Safety Compact.

(2) "Commission" means the Vehicle Equipment Safety Commission.

(3) "Executive head," with reference to this state, means the Governor.
[1963 c.153 §2]

483.670 Vehicle Equipment Safety Compact. The Vehicle Equipment Safety Compact hereby is enacted into law and entered into on behalf of this state with all other states legally joining therein in a form substantially as follows:

VEHICLE EQUIPMENT SAFETY COMPACT

ARTICLE I

Findings and Purposes

(a) The party states find that:

(1) Accidents and deaths on their streets and highways present a very serious human and economic problem with a major deleterious effect on the public welfare.

(2) There is a vital need for the development of greater interjurisdictional cooperation to achieve the necessary uniformity in the laws, rules, regulations and codes relating to vehicle equipment, and to accomplish this by such means as will minimize the time

between the development demonstrably and scientifically sound safety features and their incorporation into vehicles.

(b) The purposes of this compact are to:

(1) Promote uniformity in regulation of and standards for equipment.

(2) Secure uniformity of law and administrative practice in vehicular regulation and related safety standards to permit incorporation of desirable equipment changes in vehicles in the interest of greater traffic safety.

(3) To provide means for the encouragement and utilization of research which will facilitate the achievement of the foregoing purposes, with due regard for the findings set forth in subdivision (a) of this Article.

(c) It is the intent of this compact to emphasize performance requirements and not to determine the specific detail of engineering in the manufacture of vehicles or equipment except to the extent necessary for the meeting of such performance requirements.

ARTICLE II

Definitions

As used in this compact:

(a) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

(b) "State" means a state, territory or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(c) "Equipment" means any part of a vehicle or any accessory for use thereon which affects the safety of operation of such vehicle or the safety of the occupants.

ARTICLE III

The Commission

(a) There is hereby created an agency of the party states to be known as the "Vehicle Equipment Safety Commission" hereinafter called the commission. The commission shall be composed of one commissioner from each party state who shall be appointed, serve and be subject to removal in accordance with the laws of the state which he represents. If authorized by the laws of his party state, a commissioner may provide for the discharge of his duties and the performance of his functions on the commission, either for the duration of his membership or for any lesser period of time, by an alternate. No such alternate shall be entitled to serve unless notification of his identity and appointment shall have been given to the commission in such form as the commission may require. Each commissioner, and each alternate, when serving in the place and stead of a commissioner, shall be entitled to be reimbursed by the commission for expenses actually incurred in attending commission meetings or while engaged in the business of the commission.

(b) The commissioners shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners, or their alternates, are present.

(c) The commission shall have a seal.

(d) The commission shall elect annually, from among its members, a chairman, a vice chairman and a treasurer. The commission may appoint an executive director and fix his duties and compensation. Such executive director shall serve at the pleasure of the commission, and together with the treasurer shall be bonded in such amount as the commission shall determine. The executive director also shall serve as secretary. If there be no executive director, the commission shall elect a secretary in addition to the other officers provided by this subdivision.

(e) Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director with the approval of the commission, or the commission if there be no executive director, shall appoint, remove or discharge such personnel as may be necessary for the performance of the commission's functions, and shall fix the duties and compensation of such personnel.

(f) The commission may establish and maintain independently or in conjunction with any one or more of the party states, a suitable retirement system for its full-time employes. Employes of the commission shall be eligible for social security coverage in respect of old age and survivor's insurance provided that the commission takes such steps as may be necessary pursuant to the laws of the United States, to participate in

such program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in such additional programs of employe benefits as may be appropriate.

(g) The commission may borrow, accept or contract for the services of personnel from any party state, the United States or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party states or their subdivisions.

(h) The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States or any other governmental agency and may receive, utilize and dispose of the same.

(i) The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold and convey real and personal property and any interest therein.

(j) The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states. The bylaws shall provide for appropriate notice to the commissioners of all commission meetings and hearings and the business to be transacted at such meetings or hearings. Such notice shall also be given to such agencies or officers of each party state as the laws of such party state may provide.

(k) The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year, and embodying such recommendations as may have been issued by the commission. The commission may make such additional reports as it may deem desirable.

ARTICLE IV

Research and Testing

The commission shall have power to:

(a) Collect, correlate, analyze and evaluate information resulting or derivable from research and testing activities in equipment and related fields.

(b) Recommend and encourage the undertaking of research and testing in any aspect of equipment or related matters when, in its judgment, appropriate or sufficient research or testing has not been undertaken.

(c) Contract for such equipment research and testing as one or more governmental agencies may agree to have contracted for by the commission, provided that such governmental agency or agencies shall make available the funds necessary for such research and testing.

(d) Recommend to the party states changes in law or policy with emphasis on uniformity of laws and administrative rules, regulations or codes which would promote effective governmental action or coordination in the prevention of equipment-related highway accidents or the mitigation of equipment-related highway safety problems.

ARTICLE V

Vehicular Equipment

(a) In the interest of vehicular and public safety, the commission may study the need for or desirability of the establishment of or changes in performance requirements or restrictions for any item of equipment. As a result of such study, the commission may publish a report relating to any item or items of equipment, and the issuance of such a report shall be a condition precedent to any proceedings or other action provided or authorized by this Article. No less than 60 days after the publication of a report containing the results of such study, the commission upon due notice shall hold a hearing or hearings at such place or places as it may determine.

(b) Following the hearing or hearings provided for in subdivision (a) of this Article, and with due regard for standards recommended by appropriate professional and technical associations and agencies, the commission may issue rules, regulations or codes embodying performance requirements or restrictions for any item or items of equipment covered in the report, which in the opinion of the commission will be fair and equitable and effectuate the purposes of this compact.

(c) Each party state obligates itself to give due consideration to any and all rules, regulations and codes issued by the commission and hereby declares its policy and intent to be the promotion of uniformity in the laws of the several party states relating to equipment.

(d) The commission shall send prompt notice of its action in issuing any rule, regulation or code pursuant to this Article to the appropriate motor vehicle agency of each party state and such notice shall contain the complete text of the rule, regulation or code.

(e) If the constitution of a party state requires, or if its statutes provide, the approval of the legislature by appropriate resolution or act may be made a condition precedent to the taking effect in such party state of any rule, regulation or code. In such event, the commissioner of such party state shall submit any commission rule, regulation or code to the legislature as promptly as may be in lieu of administrative acceptance or rejection thereof by the party state.

(f) Except as otherwise specifically provided in or pursuant to subdivisions (e) and (g) of this Article, the appropriate motor vehicle agency of a party state shall in accordance with its constitution or procedural laws adopt the rule, regulation or code within six months of the sending of the notice, and, upon such adoption, the rule, regulation or code shall have the force and effect of law therein.

(g) The appropriate motor vehicle agency of a party state may decline to adopt a rule, regulation or code issued by the commission pursuant to this Article if such agency specifically finds, after public hearing on due notice, that a variation from the commission's rule, regulation or code is necessary to the public safety, and incorporates in such finding the reasons upon which it is based. Any such finding shall be subject to review by such procedure for review of administrative determinations as may be applicable pursuant to the laws of the party state. Upon request, the commission shall be furnished with a copy of the transcript of any hearings held pursuant to this subdivision.

ARTICLE VI

Finance

(a) The commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that party state for presentation to the legislature thereof.

(b) Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. The total amount of appropriations under any such budget shall be apportioned among the party states as follows: one-third in equal shares; and the remainder in proportion to the number of motor vehicles registered in each party state. In determining the number of such registrations, the commission may employ such source or sources of information as, in its judgment present the most equitable and accurate comparisons among the party states. Each of the commission's budgets of estimated expenditures and requests for appropriations shall indicate the source or sources used in obtaining information concerning vehicular registrations.

(c) The commission shall not pledge the credit of any party state. The commission may meet any of its obligations in whole or in part with funds available to it under Article III (h) of this compact, provided that the Commission takes specific action setting aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it under Article III (h) hereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

(d) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its rules. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become part of the annual reports of the commission.

(e) The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.

(f) Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

ARTICLE VII

Conflict of Interest

(a) The commission shall adopt rules and regulations with respect to conflict of interest for the commissioners of the party states, and their alternates, if any, and for the staff of the commission and contractors with the commission to the end that no member or employe or contractor shall have a pecuniary or other incompatible interest in the manufacture, sale or distribution of motor vehicles or vehicular equipment or in any facility or enterprise employed by the Commission or on its behalf for testing, conduct of investigations or research. In addition to any penalty for violation of such rules and regulations as may be applicable under the laws of the violator's jurisdiction of residence, employment or business, any violation of a commission rule or regulation adopted pursuant to this Article shall require the immediate discharge of any violating employe and the immediate vacating of membership, or relinquishing of status as a member on the commission by any commissioner or alternate. In the case of a contractor, any violation of any such rule or regulation shall make any contract of the violator with the commission subject to cancellation by the commission.

(b) Nothing contained in this Article shall be deemed to prevent a contractor for the commission from using any facilities subject to his control in the performance of the contract even though such facilities are not devoted solely to work of or done on behalf of the commission; nor to prevent such a contractor from receiving remuneration or profit from the use of such facilities.

ARTICLE VIII

Advisory and Technical Committees

The commission may establish such advisory and technical committees as it may deem necessary, membership on which may include private citizens and public officials, and may cooperate with and use the services of any such committees and the organizations which the members represent in furthering any of its activities.

ARTICLE IX

Entry Into Force and Withdrawal

(a) This compact shall enter into force when enacted into law by any six or more states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof.

(b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the executive head of the withdrawing state has given notice in writing of the withdrawal to the executive heads of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

ARTICLE X

Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.

[1963 c.153 §3]

483.672 Appointment of commissioner from this state for Vehicle Equipment Safety Commission; alternate. (1) The Governor shall appoint the commissioner of this state on the Vehicle Equipment Safety Commission who shall be responsible to and hold his office at the pleasure of the Governor. The appointment of the commissioner is subject to confirmation by the Senate in the manner provided in ORS 171.570. If an appointment is made in the interim between legislative sessions, the Senate shall act through the Committee on Executive Appointments provided by ORS 171.560 in the manner provided in that section; and the commissioner so appointed is subject to confirmation by the Senate when it next convenes.

(2) If the commissioner appointed pursuant to subsection (1) of this section is an

officer of the state government, he may designate an alternate from among the officers and employes of his agency to serve in his place and stead on the commission. Subject to the provisions of the compact and bylaws of the commission, the authority and responsibilities of such alternate shall be as determined by the commissioner designating such alternate.

(3) The commissioner, or alternate if one is designated pursuant to subsection (2) of this section, shall not be entitled to any additional compensation on account of his service as commissioner for this state.

(4) If an alternate is designated pursuant to subsection (2) of this section, the commissioner shall notify the commission of such alternate's identity and appointment in such form as the commission may require.
[1963 c.153 §5; 1969 c.695 §10]

483.674 Filing of documents, regulations and notices under compact. (1) Filing of documents as required by Article III (j) of the compact shall be with the Secretary of State.

(2) Rules, regulations or codes issued by the commission pursuant to Article V (d) of the compact shall be filed with the Motor Vehicles Division in this state.

(3) Any and all notices required by commission bylaws to be given pursuant to Article III (j) of the compact shall be given to the commissioner of this state or his alternate, if any.
[1963 c.153 §6]

483.676 Regulations of commission to take effect in this state only when approved by Legislative Assembly. Rules, regulations or codes issued by the Vehicle Equipment Safety Commission in accordance with Article V of the compact shall not take effect in this state until approved by Act of the Legislative Assembly.
[1963 c.153 §4]

483.678 Commission to submit budget to Motor Vehicles Division; division to request commission funds. (1) The Vehicle Equipment Safety Commission shall submit its budget biennially to the Administrator of the Motor Vehicles Division of the Department of Transportation of this state for study and consideration by the administrator. Such budget shall include any request for appropriation of funds by this state and shall be accompanied by a tabulation of similar requests which the commission expects to make to each other party state and the formula or factors upon which such respective requests are based.

(2) The Motor Vehicles Division shall include a suitable item or items covering this state's portion of the estimated expenditures of the commission in the budget estimates of the division.
[1963 c.153 §7]

483.680 Secretary of State to examine commission accounts. The Secretary of State hereby is authorized and empowered to examine the accounts of the Vehicle Equipment Safety Commission.
[1963 c.153 §8]

483.682 State agencies to cooperate with commission. Within appropriations available therefor, the departments, agencies and officers of the government of this state may cooperate with and assist the Vehicle Equipment Safety Commission within the scope contemplated by Article III (h) of the compact. The departments, agencies and officers of the government of this state are authorized generally to cooperate with said commission.
[1963 c.153 §9]

SNOWMOBILES

483.705 [1969 c.598 §9; repealed by 1971 c.618 §28]

483.710 Operation of snowmobile to hunt; while under the influence of liquor or drugs; "dangerous drugs" defined. (1) No person shall operate a snowmobile in a manner so as to run down, harass, chase or annoy any game animals or birds or domestic animals. No person shall hunt from a snowmobile. This subsection does not apply to officers of the State Wildlife Commission, to persons under contract to the commission in the performance of their official duties or to individuals who have secured a permit from the commission for purposes of research and study.

(2) No owner or other person having charge or control of a snowmobile shall knowingly authorize or permit any person to operate the snowmobile across a highway who is incapable by reason of age, physical or mental disability or who is under the influence of intoxicating liquor, dangerous drugs or narcotic drugs.

(3) As used in subsection (2) of this section and ORS 483.730, "dangerous drugs"

means any drug designated a dangerous drug by the Drug Advisory Council under ORS 689.660.
[1969 c.598 §§10, 13; 1971 c.618 §23]

483.715 [1969 c.598 §11; repealed by 1971 c.618 §28]

483.725 Operator's license or certification required; age limit for operators; snowmobile safety education courses. (1) No person shall operate a snowmobile unless:

(a) He has an operator's license issued under ORS chapter 482 or has been certified, as provided by subsection (3) of this section, as qualified to operate a snowmobile; and

(b) He has on his person at the time he is operating the snowmobile his license or evidence of such certification.

(2) No person under 12 years of age shall operate a snowmobile on or across a highway or a railroad right of way.

(3) A person who does not have an operator's license issued under ORS chapter 482 may operate a snowmobile if he has taken a snowmobile safety education course and been certified as qualified to operate a snowmobile. The course shall be one given by an instructor designated by the division as qualified to conduct such a course and issue such a certificate. The division shall adopt regulations to provide for the designation of instructors and the issuance of certificates. The division shall by regulation prescribe reasonable fees to be collected in the administration of the program. Notwithstanding subsection (1) of this section, a person may operate a snowmobile while taking such a course from an instructor.
[1971 c.618 §18]

483.730 Prohibited acts. It shall be unlawful for any person to operate any snowmobile:

(1) At a rate of speed greater than reasonable and proper under the existing conditions.

(2) While under the influence of intoxicating liquor, dangerous drugs or narcotic drugs.

(3) In a negligent manner so as to endanger the person or property of another, or to cause injury or damage to either.

(4) Without a lighted headlight and taillight.

(5) Without an adequate braking device which may be operated either by hand or foot.

(6) Without an adequate and operating muffling device which shall effectively blend the exhaust and motor noise in such a manner so as to preclude excessive or unusual noise and, on snowmobiles manufactured after January 4, 1973, which shall effectively maintain such noise at a level of 82 decibels or below on the "A" scale at 100 feet under testing procedures established by the Department of State Police; however, snowmobiles used in organized racing events in an area designated for that purpose may use a bypass or cutout device.

(7) Upon the paved portion or upon the shoulder or inside bank or slope of any highway, or upon the median of any divided highway or upon any portion of a highway right of way under construction, except as provided in ORS 483.735 and 483.740.

(8) On or across a railroad right of way, except as provided by ORS 483.735 and 483.740; however, this subsection does not apply to snowmobiles being operated by officers or employes or authorized contractors or agents of a railroad in the course of their employment.

(9) In any area or in such a manner so as to expose the underlying soil or vegetation, or to injure, damage or destroy trees or growing crops.

(10) With a firearm in his possession, unless the firearm is unloaded, or with a bow, unless the bow is unstrung.
[1971 c.618 §15]

483.735 Crossing two or three lane highways. It shall be lawful to drive or operate a snowmobile across a two or three lane highway or a railroad right of way when:

(1) The crossing is made at an angle of approximately 90 degrees to the direction of the highway or railroad right of way and at a place where no obstruction prevents a quick and safe crossing;

(2) The snowmobile is brought to a complete stop before entering the highway or railroad right of way;

(3) The operator of the snowmobile yields the right of way to vehicles using the highway or equipment using the railroad tracks; and

(4) The crossing is made at an established public railroad crossing or at a place that is greater than 100 feet from any highway intersection.
[1971 c.618 §16]

483.740 Operation of snowmobile upon highway or railroad right of way. (1) Notwithstanding subsection (2) of ORS 483.725 and ORS 483.735, it shall be lawful to operate a snowmobile upon a highway:

(a) Where the highway is completely covered with snow or ice and has been closed to motor vehicle traffic during the winter months;

(b) For the purpose of loading or unloading when such operation is performed with safety and without causing a hazard to vehicular traffic approaching from either direction on the highway;

(c) Where the highway is posted to permit snowmobiles;

(d) In an emergency during the period of time when and at locations where snow upon the highway renders travel by automobile impractical; or

(e) When traveling along a designated snowmobile trail.

(2) Notwithstanding subsection (2) of ORS 483.725 and ORS 483.735, it shall be lawful to operate a snowmobile upon a railroad right of way:

(a) Where the right of way is posted to permit snowmobiles; or

(b) In an emergency.

[1971 c.618 §17]

483.745 Accident reports required. The operator of a snowmobile involved in any accident resulting in injury to or death of any person, or property damage in the estimated amount of $200 or more, or a person acting for the operator or the owner of the snowmobile having knowledge of the accident, should the operator of the snowmobile be unknown, shall submit such reports as are required under ORS 483.602 to 483.614, and ORS 483.602 to 483.614 are applicable to such reports when submitted.

[1971 c.618 §19]

483.750 Enforcement of ORS 483.725 to 483.740. ORS 483.725 to 483.740 shall be enforced by all police officers, game wardens and all other state law enforcement officers within their respective jurisdictions.

[1971 c.618 §20]

483.755 Regulation of snowmobiles by cities, counties, political subdivisions and state agencies. Notwithstanding any of the provisions of ORS 483.725 to 483.740 and subsection (14) of ORS 483.991, any city, county or other political subdivision, or any state agency, may regulate the operation of snowmobiles on public lands, waters and other properties under its jurisdiction, and on streets or highways within its boundaries by adopting regulations or ordinances of its governing body, if such regulations are not inconsistent with ORS 483.725 to 483.740 and subsection (14) of ORS 483.991.

[1971 c.618 §22]

ALCOHOLIC LIQUOR IN VEHICLES

483.775 "Motor vehicle" defined for purpose of ORS 483.775 to 483.790. As used in ORS 483.775 to 483.790, "motor vehicle" does not include a motor vehicle operated by a publicly owned transit system or a motor vehicle operated by a common carrier and used primarily to carry passengers for hire.

[1973 c.191 §5]

483.780 Drinking alcoholic liquor in vehicle on highway prohibited. No person shall drink any alcoholic liquor in a motor vehicle when the vehicle is upon a highway.

[1973 c.191 §2]

483.785 Possessing open liquor container in vehicle on highway prohibited. No person shall have in his possession on his person, while in a motor vehicle upon a highway, any bottle, can, or other receptacle containing any alcoholic liquor, which has been opened, or a seal broken, or the contents of which have been partially removed.

[1973 c.191 §3]

483.790 Owner or operator of vehicle prohibited from having open liquor container in vehicle on highway unless container is in area normally unoccupied by operator or passengers. It is unlawful for the registered owner of any motor vehicle, or the driver if the registered owner is not then present in the vehicle, to keep in a motor vehicle when the vehicle is upon any highway, any bottle, can, or other receptacle containing any alcoholic liquor, which has been opened, or a seal broken, or the contents of which have been partially removed, unless the bottle, can, or other receptacle is kept in the trunk of the vehicle, or kept in some other area of the vehicle not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. For the purposes of this section, a utility compartment or glove compartment is considered within the area occupied by the driver and passengers. This section shall not apply to the living quarters of a camper or a motor home.

[1973 c.191 §4]

MOTOR VEHICLE POLLUTION CONTROL SYSTEMS

483.800 Definitions for ORS 483.805 and 483.825. As used in ORS 483.805 and 483.825, the terms "certified system," "factory-installed system," "motor vehicle" and "motor vehicle pollution control system" have the meanings given in ORS 468.360.
[1971 c.454 §14; 1973 c.835 §80]

483.805 Operation of vehicle without required air pollution control certificate of compliance prohibited; repair of unsafe or defective system required. (1) After the date of registration, reregistration or renewal immediately subsequent to the effective date of a rule of the Environmental Quality Commission under ORS 468.370 requiring certified or factory-installed systems on motor vehicles registered in designated counties, a motor vehicle which is required to be equipped with a certified system or factory-installed system as a prerequisite to registration under ORS 481.190 shall not be operated or left standing upon a highway unless a valid certificate of compliance has been issued for the vehicle pursuant to rules of the Environmental Quality Commission.

(2) Whenever a certificate of compliance is revoked, suspended or restricted because a certified system or factory-installed system has been found to be unsafe in actual use or is otherwise mechanically defective the defect must be corrected or the system must be brought into compliance with the rules of the commission within 30 days after such finding.
[1971 c.454 §15; 1973 c.835 §67]

483.810 [1971 c.454 §16; repealed by 1973 c.835 §234]

483.815 Advertising, display, sale or installation of uncertified system prohibited. (1) It is unlawful to sell, display, advertise or represent as a certified system any motor vehicle pollution control system which is not certified under ORS 468.375.

(2) It is unlawful to install or sell for installation upon a motor vehicle any motor vehicle pollution control system for which a certificate of approval has not been issued under ORS 468.375.
[1971 c.454 §17; 1973 c.835 §70]

483.820 Certain acts with respect to certification of vehicle pollution system prohibited. (1) It is unlawful to certify falsely that a motor vehicle is equipped with a functioning certified system or that the motor vehicle complies with the rules and standards of the commission.

(2) It is unlawful to falsify any information on the certificate of compliance required by subsection (1) of ORS 481.190. It is unlawful with a purpose to defraud or with intent to cause registration of a motor vehicle that would not otherwise be eligible for registration.

(3) It is unlawful to require as a condition to the issuance of a certificate of compliance required by subsection (1) of ORS 481.190 any repairs or services unnecessary for compliance with rules or standards adopted pursuant to ORS 468.360, 468.365, 468.375 and 468.395.
[1971 c.454 §18; 1973 c.835 §78]

483.825 Disconnection or alteration of factory-installed motor vehicle air pollution control device or system prohibited. (1) It shall be unlawful for any person to disconnect or permit to be disconnected a factory-installed motor vehicle air pollution control device or a factory-installed system, as defined in ORS 468.360, nor shall any person knowingly and wilfully permit such device or factory-installed system to become or remain inoperative.

(2) It shall be unlawful for any person to modify or alter a certified system or a factory-installed system, as defined in ORS 468.360, in a manner which decreases its efficiency or effectiveness in the control of air pollution.

(3) (a) The provisions of subsections (1) and (2) of this section do not apply when factory-installed motor vehicle air pollution control equipment, systems or devices are disconnected for the purpose of conversion to gaseous fuels.

(b) As used in this subsection, "gaseous fuels" includes, but is not limited to, liquefied petroleum gases and natural gases in liquefied or gaseous form.
[Formerly 449.845]

BICYCLES

483.830 Parent or guardian prohibited from permitting child or ward to violate bicycle laws. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate the provisions of ORS 483.404 or 483.830 to 483.870.
[1973 c.580 §4]

483.835 Applicability of chapter to bicycle operation. The regulations in this chapter applicable to bicycles shall apply whenever a bicycle is operated upon any highway, bicycle lane or bicycle path.
[1973 c.580 §5]

483.840 Bicyclists required to use permanent seat; prohibition against transporting more persons than bicycle is designed and equipped for. (1) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

(2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.
[1973 c.580 §6]

483.845 Attaching by rider of bicycle or other coaster device to vehicle on roadway prohibited. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.
[1973 c.580 §7]

483.850 Bicyclists required to use right side of roadway; riding abreast or single file; use of bicycle lanes. (1) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, except when the highway is restricted to one-way traffic, and shall exercise due care when passing a standing vehicle or one proceeding in the same direction.

(2) Except as provided in subsection (3) of this section, persons riding bicycles upon a roadway shall not ride more than two abreast.

(3) Upon roadways where the designated speed exceeds 25 miles per hour, persons riding bicycles shall ride in single file.

(4) Wherever a bicycle lane has been provided adjacent to a roadway, bicycle riders shall use that lane and shall not use the roadway.
[1973 c.580 §8]

483.855 Bicyclists prohibited from carrying article that interferes with bicycle operation. No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars and having full control at all times.
[1973 c.580 §9]

483.860 Use of bicycle lane by vehicles restricted; vehicle operators required to yield to bicyclists in bicycle lane. No driver of a vehicle shall drive upon a bicycle lane except when passing another vehicle on the right as provided in paragraph (a) of subsection (3) of ORS 483.310 and until he has first ascertained that such movement can be made with safety. The driver of a vehicle shall give right of way to bicycles being operated upon the bicycle lane.
[1973 c.580 §10]

483.865 Use of bicycle path by vehicles prohibited. No driver of a vehicle shall drive or park upon a bicycle path.
[1973 c.580 §11]

483.870 Bicyclists on sidewalks required to warn pedestrians; careless bicycle operation on sidewalk prohibited. (1) Any person operating a bicycle upon a sidewalk shall give an audible warning before overtaking and passing a pedestrian and shall yield the right of way to all pedestrians on the sidewalk.

(2) No person shall operate a bicycle on a sidewalk in a careless manner that endangers or would be likely to endanger any person or property.
[1973 c.580 §12]

PENALTIES

483.990 Penalties generally. (1) Unless another penalty is provided by law for such violation, any violation of the provisions of, or failure or neglect to comply with any rule or regulation declared in, ORS 483.032 to 483.040, 483.042 to 483.048, 483.050, 483.054, 483.104 to 483.140, 483.202 to 483.212, 483.216 to 483.230, 483.302 to 483.318, 483.326 to 483.338, 483.345, 483.362 to 483.366, 483.402 to 483.444, 483.446 to 483.456, 483.457, 483.538, 483.540, 483.602 to 483.612, 483.618, 483.620, 483.624, 483.626 or 483.775 to 483.790 is punishable:

(a) Upon conviction, by a fine of not more than $100 or by imprisonment in the county or municipal jail for not more than 10 days.

(b) Upon a second such conviction within one year after the first conviction, by a fine of not more than $200 or by imprisonment in the county or municipal jail for not more than 20 days, or both.

(c) Upon a third or subsequent conviction within one year after the first conviction, by a fine of not more than $500 or

by imprisonment in the county or municipal jail for not more than six months, or both.

(2) Any violation of ORS 483.102, unless such violation occurs under the conditions of subsection (3) of this section, is punishable, upon conviction, by a fine of not more than $25, or by imprisonment for not more than five days, or both.

(3) Any person who drives a vehicle upon a highway at a speed in excess of that designated for the particular district or location by ORS 483.104 or by the Department of Transportation or the State Speed Control Board pursuant to ORS 483.106 or 483.108 or by the Department of Transportation, the governing body of a county or the city council under subsection (2) of ORS 483.532, and who, while so driving, violates the basic rule set forth in ORS 483.102 or any provision of ORS 483.126, 483.202 to 483.212, 483.216 to 483.230, 483.302 to 483.318, 483.326, 483.328 or 483.334, shall, upon conviction, be punished by a fine of not more than $100 or by imprisonment for not more than 10 days, or both.

(4) Violation of subsection (2) or (3) of ORS 483.214 is a misdemeanor.

(5) Any person who violates any order of the commissioner under ORS 483.236 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $50.

(6) Violation of ORS 483.304 and 483.305 is a Class C misdemeanor.

(7) Any person who violates any regulation, restriction or prohibition imposed under ORS 483.346 is guilty of an offense and shall be punished by a fine not exceeding $10.

(8) Violation of ORS 483.347 is punishable upon conviction by a fine of not more than $25.

(9) Any person who is not disabled, as defined in ORS 483.352, and who exercises the privilege granted a disabled person under ORS 483.354 is guilty of a misdemeanor.

[Amended by 1953 c.124 §2; 1953 c.691 §12; subsection (7) enacted as 1953 c.587 §4; subsection (7) of 1961 Replacement Part enacted as 1953 c.151 §2 and 1953 c.344 §5; subsection (9) of 1961 Replacement Part enacted as 1953 c.257 §3; subsection (5) enacted as 1955 c.294 §4; subsection (13) of 1961 Replacement Part enacted as 1955 c.539 §3; subsection (8) enacted as 1959 c.617 §3; subsection (15) of 1961 Replacement Part enacted as 1961 c.457 §3; subsection (16) of 1961 Replacement Part enacted as 1961 c.441 §3; subsection (17) of 1961 Replacement Part enacted as 1961 c.725 §9 (4); 1963 c.32 §2; subsection (4) enacted as 1963 c.596 §2; subsection (9) enacted as 1963 c.525 §4; part renumbered 483.991; 1971 c.273 §2; subsection (6) enacted as 1973 c.510 §3]

483.991 Penalties generally. (1) Any person who violates subsection (6) of ORS 483.432 by the unauthorized display of a flashing red light shall be guilty of a misdemeanor.

(2) Any person violating any provision or regulation of ORS 483.445 shall be guilty of a misdemeanor.

(3) Violation of ORS 483.458 or 483.460 is punishable, upon conviction, by a fine of not less than $5 nor more than $100, or by imprisonment in the county jail for not more than 30 days, or both.

(4) Violation of ORS 483.462 is punishable, upon conviction, by a fine of not more than $400, or by imprisonment in the county jail for not more than one year, or both.

(5) Violation of ORS 483.466 or 483.470 is a misdemeanor.

(6) Violation of ORS 483.472 is a misdemeanor.

(7) Violation of ORS 483.474 is a misdemeanor.

(8) Violation of ORS 483.482 is a misdemeanor and punishable, upon conviction, by a fine of not more than $500 or by imprisonment for six months, or both.

(9) Any person who violates ORS 483.499 is guilty of a misdemeanor.

(10) Any driver or chauffeur of any vehicle or combination of vehicles who fails or refuses to stop and submit the vehicle or combination of vehicles to measurement or weighing when ordered or directed to do so by any peace officer or weighmaster pursuant to the provisions of ORS 483.534 or 483.536, shall be punished, in addition to the penalties provided in ORS 483.994 to 483.998, by a fine of not less than $100.

(11) Any person violating any rule, regulation or order made or adopted pursuant to authority of ORS 483.542 and 483.544 is guilty of an offense, and shall be punished by a fine not exceeding $25; provided, however, that in any action against any person for operating a truck or other vehicle upon a street, road or highway upon which operation of such truck or vehicle has been prohibited under ORS 483.542 and 483.544, it shall be a defense if said person can establish that he could not reach his destination without traveling upon said street, road or highway.

(12) Failure to comply with ORS 483.602 after an accident which results in injury or death to any person is punishable, upon conviction, by a fine of not less than $100

nor more than $5,000, or imprisonment in the county or municipal jail for not less than 30 days nor more than one year, or in the penitentiary for not less than one year nor more than five years, or by both such fine and imprisonment.

(13) Violation of ORS 483.614 is a misdemeanor.

(14) Violation of ORS 483.725 to 483.740 shall be punished, upon conviction, by a fine of not more than $250 or imprisonment for not more than 30 days, or both.

(15) Violation of ORS 483.710 is a misdemeanor.

(16) In addition to the penalties provided in subsections (14) and (15) of this section, the operator or the owner of a snowmobile used with the permission of the owner shall be liable for three times the amount of any damage to trees, shrubs, growing crops or other property injured as the result of travel by such snowmobile over the property involved.

(17) Violation of ORS 483.805 is a misdemeanor.

[Formerly part of 483.990; subsection (2) enacted as 1963 c.374 §2(5); subsection (8) enacted as 1963 c.315 §6; subsection (9) enacted as 1971 c.447 §4; subsection (14) enacted as 1971 c.618 §21(1); subsection (15) enacted as 1971 c.618 §21(2); subsection (16) enacted as 1971 c.618 §21(3); subsection (17) enacted as 1971 c.454 §19(1); subsection (18) enacted as 1971 c.454 §19(2); subsection (19) enacted as 1971 c.454 §19(3); 1973 c.835 §79]

483.992 Penalty for driving recklessly or while under the influence of liquor or drugs. (1) Any person who drives any vehicle upon a highway carelessly and heedlessly in wilful or wanton disregard of the rights or safety of others is guilty of reckless driving and shall be punished:

(a) Upon conviction, by imprisonment in the county or municipal jail for not more than 90 days, or by a fine of not more than $500, or both.

(b) Upon a second or subsequent conviction, by imprisonment for not more than six months, or by a fine of not more than $2,000, or both.

(2) Any person who, while being under the influence of intoxicating liquor, dangerous drugs or narcotic drugs, drives any vehicle upon any highway, street or thoroughfare within this state, shall be punished, upon conviction, by imprisonment in the county or municipal jail for not more than one year, or by fine of not more than $1,000, or both.

(3) As used in subsection (2) of this section, "dangerous drugs" means any drug designated a dangerous drug by the Drug Advisory Council under ORS 689.660 or defined in ORS 475.010.

[Amended by 1957 c.652 §1; 1959 c.511 §1; 1969 c.696 §1; 1971 c.743 §394]

483.993 Penalty for unlawful use of emergency vehicle; violating safety standards; snowmobile regulations. (1) Except as provided in subsections (2) and (3) of this section, violation of ORS 483.120, 483.121 or 483.330 is punishable, upon conviction, by a fine of not less than $25 and not more than $250 or by imprisonment in the county or municipal jail for not more than 30 days, or by both the fine and the imprisonment.

(2) When a person has been convicted of violation of ORS 483.120, 483.121 or 483.330 and within one year after that conviction is convicted of violation of ORS 483.120, 483.121 or 483.330, he shall be punished by a fine of not less than $50 and not more than $500 or by imprisonment in the county or municipal jail for not more than 90 days, or by both the fine and the imprisonment.

(3) When within one year after the conviction first described in subsection (2) of this section and after the conviction second described in that subsection the person convicted as described in that subsection is convicted of violation of ORS 483.120, 483.121 or 483.330, he shall be punished by a fine of not less than $100 and not more than $1,000 or by imprisonment in the county or municipal jail for not more than six months, or by both the fine and the imprisonment.

(4) Any person who violates any provision or regulation of ORS 483.495 shall be guilty of a misdemeanor.

(5) Any violation of any provision of subsection (3) of ORS 483.024 and ORS 483.705 to 483.715 shall, upon conviction, be fined not more than $20 for the first offense and not more than $50 for the second or subsequent offense within a year.

[1961 c.547 §6; subsection (4) enacted as 1969 c.300 §3; subsection (5) enacted as 1969 c.598 §12]

483.994 Penalty for operating illegally shaped or equipped vehicle. (1) Violation by any driver, chauffeur or owner of any vehicle or combination of vehicles of any of the provisions, except weight provisions, of ORS 483.502 to 483.530, 483.534 or 483.536, or of any permit issued pursuant to ORS 483.520 to 483.524 or 483.528, or of any

resolution adopted pursuant to ORS 483.525, is punishable, upon conviction, by a fine of not less than $10 nor more than $25, or by imprisonment in the county or municipal jail for not less than five days nor more than 10 days.

(2) A second conviction of a driver or chauffeur of any vehicle or combination of vehicles for the violation of any provision punishable under subsection (1) of this section, within one year after the first conviction, is punishable by a fine of not less than $25 nor more than $100, or by imprisonment in the county or municipal jail for not less than 10 days nor more than 20 days, or both. A third or subsequent conviction of such person for the violation of any provision punishable under subsection (1) of this section, within one year after the first conviction, is punishable by a fine of not less than $50 nor more than $200, or by imprisonment in the county or municipal jail for not less than 15 days nor more than 30 days, or both.

(3) A second conviction of any owner of a vehicle or combination of vehicles for violation of any provision punishable under subsection (1) of this section, within one year after the first conviction, is punishable by a fine of not less than $50 nor more than $200, or by imprisonment in the county or municipal jail for not less than 15 days nor more than 30 days, or both. A third or subsequent conviction of such person for the violation of any provision punishable under subsection (1) of this section, within one year after the first conviction, is punishable by a fine of not less than $100 nor more than $300, or by imprisonment in the county or municipal jail for not less than 30 days nor more than 60 days, or both.
[Amended by 1953 c.691 §12; 1965 c.68 §3]

483.995 [1953 c.691 §12; repealed by 1965 c.36 §2]

483.996 Penalties for violating weight provisions. (1) Violation by any driver, chauffeur or owner of any vehicle or combination of vehicles of the weight provisions of ORS 483.506, 483.512 or 483.516, or of any permit issued pursuant to ORS 483.520 to 483.526, or of any resolution adopted pursuant to ORS 483.525, is punishable, upon conviction, by imprisonment or by a fine based upon the excess weight by which any gross weight exceeds the applicable gross weight authorized in such provisions, permit or resolution, as follows. If the excess weight is:

(a) Two thousand five hundred pounds or any fraction thereof, by a fine of not more than one cent per pound for each pound of the excess weight.

(b) More than 2,500 pounds but not in excess of 5,000 pounds, by a fine of not more than two cents per pound for each pound of the excess weight.

(c) More than 5,000 pounds by a fine of not more than seven cents per pound for each pound of the excess weight, or by imprisonment in the county or municipal jail for not more than 30 days, or both.

(2) Violation by any driver, chauffeur or owner of any vehicle or combination of vehicles of the weight provisions of any permit issued pursuant to ORS 483.528 is punishable, upon conviction, by a fine of not more than $100 plus five cents per pound for each pound by which any gross weight exceeds the applicable gross weight authorized by the permit, or by imprisonment in the county or municipal jail for not more than 30 days, or both.

(3) If a person charged with a violation of the weight provisions of any permit issued pursuant to ORS 483.528, produces in court a second valid permit authorizing a gross weight equal to or greater than the actual gross weight of the vehicle, combination of vehicles, axle, tandem axles, or group of axles upon which the citation was based, the five cents per pound penalty shall be waived by the court, and the fine shall be not more than $100.
[Amended by 1953 c.691 §12; 1959 c.647 §1; 1963 c.300 §1; 1965 c.36 §1]

483.997 Penalties for violating resolution adopted pursuant to ORS 483.545. The penalties provided in ORS 483.994 apply to violations of any size provisions, and the penalties provided in ORS 483.995 and 483.996 apply to violations of any weight provisions, of any permit issued or resolution adopted pursuant to ORS 483.545.
[1965 c.34 §3]

483.998 Penalties for violation of ORS 483.532 or orders issued pursuant thereto. (1) Violation, by any driver, chauffeur or owner of any vehicle or combination of vehicles, of any provision of ORS 483.532 or any provision of any order made pursuant to ORS 483.532, except provisions limiting or reducing any gross weight and except provisions designating speed under subsection (2)

of ORS 483.532, is punishable by a fine of not less than $50 nor more than $500, or by imprisonment in the county or municipal jail for not less than 15 days nor more than 90 days, or both.

(2) Violation, by any driver, chauffeur or owner of any vehicle or combination of vehicles, of any provision of ORS 483.532 or any provision of any order made pursuant to ORS 483.532, limiting or reducing any gross weight, is punishable by imprisonment or by a fine based upon the excess weight by which any gross weight exceeds the gross weight as limited or reduced by the provisions of any order made pursuant to ORS 483.532, as follows:

(a) If the excess weight is 1,000 pounds or any fraction thereof, by a fine of not less than $50.

(b) If the excess weight is more than 1,000 pounds but not in excess of 2,000 pounds, by a fine of six cents per pound for each pound of the excess weight.

(c) If the excess weight is more than 2,000 pounds but not in excess of 5,000 pounds, by a fine of not less than eight cents per pound for each pound of the excess weight, or by imprisonment in the county or municipal jail for not less than 30 days nor more than 60 days, or both.

(d) If the excess weight is more than 5,000 pounds, by a fine of not less than 10 cents per pound for each pound of the excess weight, or by imprisonment in the county or municipal jail for not less than 60 days nor more than six months, or both. In addition, the court before which the conviction is had may recommend to the Motor Vehicles Division the suspension of the driver's or chauffeur's license of the driver or chauffeur, or the suspension of the registration plates for the vehicle or for the vehicles in a combination of vehicles of the owner, for not to exceed 90 days. If the court recommends suspension of the driver's or chauffeur's license or the registration plates, it shall secure the driver's or chauffeur's license or the registration plates, and immediately forward them to the Motor Vehicles Division with the recommendation. The Motor Vehicles Division shall suspend the driver's or chauffeur's license, or vehicle registration plates, in accordance with the recommendation.

(3) If any driver, chauffeur or owner is convicted of a second or subsequent violation punishable under subsection (2) of this section within one year after the first conviction, the court before which the conviction is had, in addition to imposing the punishments provided in that subsection, shall recommend to the Motor Vehicles Division the suspension of the driver's or chauffeur's license of the driver or chauffeur, or the registration plates for the vehicle or for the vehicles in a combination of vehicles of the owner, for not less than 30 days nor more than 90 days. The court shall secure the driver's or chauffeur's license or the vehicle registration plates, and immediately forward them to the Motor Vehicles Division with the recommendation. The Motor Vehicles Division shall impose the suspension as recommended.

[Amended by 1953 c.691 §12; 1959 c.506 §2; 1971 c.273 §3]

483.999 Penalty for driving vehicle upon highway with certain percentage of alcohol in blood. (1) Any person who drives any vehicle upon any highway of this state when that person has .15 percent or more by weight of alcohol in his blood as shown by chemical analysis of the person's breath, blood, urine or saliva made pursuant to ORS 483.634 to 483.646 shall be punished, upon conviction, by imprisonment in the county or municipal jail for not less than six days and not more than one year and, at the discretion of the court, by a fine of not more than $2,000. However, when the person has had no prior conviction under this section within five years of the date of violation, he shall be punished upon conviction by either such imprisonment or such fine or both, or, at the direction of the court, by such imprisonment or participation in an appropriate rehabilitation program or both.

(2) Notwithstanding ORS 137.010 and 137.520, and except as provided in subsections (1) and (3) of this section, the court may not suspend the imposition or execution of a sentence of imprisonment imposed for violation of this section or place a person convicted of a violation of this section on probation or grant him parole.

(3) The court may place a person convicted of a violation of this section on probation or suspend imposition or execution of sentence if the person is 18 years of age or younger or if the court receives a written recommendation from a physician that the person, for medical reasons, should not be incarcerated in jail.

(4) The court shall make written findings in all cases wherein a sentence of imprisonment is not imposed, or is suspended,

or execution thereof is suspended, or the person convicted is placed on probation, under subsection (1) or (3) of this section, and the findings shall state the grounds therefor. If the reason for the suspension is participation in a rehabilitation program, the findings shall state the grounds in detail.

(5) For purposes of ORS 482.430, a conviction under this section or a city ordinance conforming to subsection (1) of this section shall be considered to be a conviction for driving under the influence of intoxicating liquor.

[1971 c.564 §2; 1973 c.798 §1]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Thomas G. Clifford, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on November 1, 1973.

Thomas G. Clifford
Legislative Counsel