Chapter 820

1987 REPLACEMENT PART

Special Provisions for Certain Vehicles

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WORKER TRANSPORT AND OTHER VEHICLES

820.010 Vehicles subject to safety regulation; Department of Insurance and Finance jurisdiction; rules. (1) A motor vehicle is subject to safety regulation under ORS 820 030 to 820 070, if the vehicle is furnished by an employer and is used to transport one or more workers to and from their places of employment All of the following apply to this subsection

(a) The employer must be an individual who employs or uses two or more workers

(b) The workers employed or transported may be any individuals who are employed for any period in any work for which the workers are compensated, whether full or part time

(c) The place of employment to and from which the vehicle is used to transport workers must be a location where one or more workers are actually performing the labor incident to their employment

(d) Vehicles may include passenger automobiles and station wagons operated by or on behalf of employers

(2) If vehicles described in this section are worker transport busses, the vehicles may be subject to additional regulation for the use of bus safety lights under ORS 811 520 and 816 300 in addition to safety measures under ORS 811 155

(3) The Department of Insurance and Finance has concurrent jurisdiction with the Motor Vehicles Division in the adoption, under ORS 820 030, of rules relating to vehicles described in this section and in the enforcement of those rules under ORS 820 040 and 820 050 as applied to vehicles described in this section

(4) Vehicles described in this section are in addition to any vehicles subjected to regulation under ORS 820 020 [1983 c 338 §738 1985 c 16 §355]

820.020 Vehicles other than worker transport vehicles that are subject to safety regulation by division. Vehicles described in this section are subject to safety regulation under ORS 820 030 to 820 070 in addition to worker transport vehicles subjected to such regulation under ORS 820 010 This section applies to every motor vehicle that is exempt from ORS chapter 767 by ORS 767 025 (13) [1983 c 338 §739]

820.030 Safety code; standards; tentative draft; hearings; notice; amendment. The division shall make and enforce reasonable rules relating to vehicles described under ORS 820 010 and 820 020 Authority for enforcement of the rules is established under ORS 820 040 to 820 070 The rules shall be embodied in a safety code and the safety code is subject to all of the following

(1) The safety code shall establish minimum standards for all of the following aspects of the safety and operation of vehicles described under ORS 820 010 and 820 020

(a) For the construction and mechanical equipment of a motor vehicle, including its coupling devices, lighting devices and reflectors, motor exhaust system, rear-vision mirrors, service and parking brakes, steering mechanism, tires, warning and signaling devices and windshield wipers

(b) For the operation of a motor vehicle, including driving rules, loading and carrying freight and passengers, maximum daily hours of service by drivers, minimum age and skill of drivers, physical condition of drivers, refueling, road warning devices and the transportation of gasoline and explosives

(c) For the safety of passengers in a motor vehicle, including emergency exits, fire extinguishers, first aid kits, means of ingress and egress, side walls, and a tailgate or other means of retaining freight and passengers within the motor vehicle

(2) Before formulating a draft of the safety code, the division shall invite the participation of interested state agencies and representative business, farm, labor and safety organizations These groups may make suggestions relating to the minimum standards to be embodied in the safety code The division shall consider the suggestions and prepare a tentative draft of the safety code

(3) The following apply to hearings on a tentative draft under this section

(a) Upon the fixing of dates and places for hearings to consider the tentative draft, the division

(A) Shall cause notices of the hearings to be published in one or more daily newspapers of general circulation published and circulated in the City of Portland and in such other newspapers of general circulation in this state as will give wide notices of the hearings, and

(B) Shall cause copies of the tentative draft to be widely distributed among representative business, farm, labor and safety organizations and among interested individuals

(b) Any individuals or groups may participate in the hearings, and submit their comments and suggestions relating to the minimum standards embodied in the tentative draft.

(4) Notice of the adoption and issuance of the safety code shall be given in the same manner as notices of the hearings

(5) The division shall cause copies of the safety code and amendments thereto to be widely distributed among interested state agencies, among representative business, farm, labor and safety organizations and among interested individuals

(6) The division may amend the safety code at any time upon its own motion or upon complaint by any individual or group, in the same manner as the safety code was prepared, adopted and distributed under this section

(7) No defect or inaccuracy in a notice or in the publication thereof shall invalidate the safety code or any amendment thereto adopted and issued by the division [1983 c 338 §740 1985 c 16 §356]

820.040 Inspection of vehicles. (1) The division, in enforcing the safety code established under ORS 820 030, may inspect any vehicle that is described under ORS 820 010 or 820 020

(2) Upon request, the Superintendent of State Police shall assist the division in these inspections [1983 c 338 §741]

820.050 Orders regarding noncomplying vehicles or drivers. (1) Whenever the division finds that a vehicle described under ORS 820 010 or 820 020 violates any provision of the safety code adopted under ORS 820 030 or an amendment thereto, the division shall make, enter and serve upon the owner of the vehicle any order necessary to protect the safety of persons transported in the vehicle

(2) The division may direct in an order, as a condition to the continued use of the motor vehicle for authorized purposes, that such additions, repairs, improvements or changes be made and such safety devices and safeguards be furnished and used as are reasonably required to satisfy the requirements of the safety code, in the manner and within the time specified in the order

(3) The division may also issue to the owner of the vehicle an order to require that any driver of the motor vehicle satisfy the minimum standards for a driver under the safety code established under ORS 820 030

(4) Any person aggrieved by an order of the division under this section may appeal under the provisions of ORS 183 480

(5) Violation of an order issued under this section is subject to penalty as provided under ORS 820 060 [1983 c 338 §742]

820.060 Safety requirement; owner violation of worker transport vehicle safety code; penalty. (1) The following vehicles shall be maintained in a safe condition and operated in a safe manner at all times

(a) Vehicles described in ORS 820 010 This paragraph applies whether or not the vehicle is used upon a public highway

(b) Vehicles described in ORS 820 020

(2) A person commits the offense of owner violation of the worker transport vehicle safety code if the person is the owner of a vehicle described under ORS 820 010 or 820 020 and the person does any of the following

(a) Violates or wilfully fails to comply with an order issued under ORS 820 050

(b) Violates any provision of the safety code established under ORS 820 030, or any amendment thereto

(3) The offense described in this section, owner violation of worker transport vehicle safety code, is a Class B traffic infraction [1983 c 338 §743 1985 c 393 §50]

820.070 Driver violation of worker transport vehicle safety code; penalty. (1) A person commits the offense of driver violation of worker transport vehicle safety code if the person, at any time, operates a vehicle described under ORS 820 010 or 820 020 in a manner that violates any provision of the safety code established under ORS 820 030 or any amendment thereto

(2) The offense described in this section, driver violation of worker transport vehicle safety code, is a Class B traffic infraction [1983 c 338 §744, 1985 c 393 §51]

SCHOOL VEHICLES

820.100 Adoption of safety standards for construction and equipment of school vehicles; rules. (1) The Department of Education shall adopt and enforce such reasonable standards relating to school bus and school activity vehicle construction and school bus and school activity vehicle equipment as the department deems necessary for safe and economical operation

(2) The State Board of Higher Education may adopt and enforce separate rules of the type described under this section for school busses and school activity vehicles that are under its jurisdiction

(3) The Department of Education shall adopt and enforce standards for school bus stop arms authorized by ORS 820 105

(4) Rules adopted under this section

(a) Must be consistent with requirements established by statute or by rule adopted under statutory authority that relate to the same subject

(b) Shall be consistent with minimum uniform national standards, if such standards exist

(c) May include different requirements for different classes or types of school busses or school activity vehicles

(d) May include any exemptions determined appropriate under ORS 820 150 [1983 c 338 §747, 1985 c 16 §358, 1985 c 420 §12, 1987 c 654 §6]

820.105 School bus stop arms. Notwithstanding any other provision of law, school busses may be equipped with an octagonal shaped mechanical stop arm that indicates when the bus is stopped to load or unload passengers on a roadway The stop arms authorized by this section shall be equipped with two alternately flashing red bus safety lights showing both to the front and rear of the bus [1987 c 654 §5]

Note 820 105 was added to and made a part of ORS chapter 820 but was not added to any smaller series therein by legislative action See Preface to Oregon Revised Statutes for further explanation

820.110 Rules for driver qualification and training and accident reports (1) The Department of Education shall adopt and enforce rules, as the department deems necessary and proper, to establish requirements of operation, qualifications or special training of drivers and special accident reports for school busses and school activity vehicles

(2) The State Board of Higher Education may adopt and enforce separate rules of the type described under this section for school busses and school activity vehicles that are under its jurisdiction

(3) The rules adopted under this section

(a) Are subject to ORS 820 190 and 820 200 and to any other statute or regulation relating to the operation of vehicles, qualifications of drivers and accident reports

(b) Must be consistent with requirements established by statute or by rule adopted under statutory authority that relate to the same subject.

(c) May include different requirements for different classes or types of school busses or school activity vehicles

(d) May include any exemptions determined appropriate under ORS 820 150 [1983 c 338 §748, 1985 c 16 §359, 1985 c 420 §13]

820.120 Rules for school vehicle inspection. (1) The Department of Education shall adopt and enforce rules, as the department deems necessary and proper, to provide for the inspection of school busses and school activity vehicles to assure that the vehicles are in compliance with requirements under rules established under ORS 820 100 and 820 110, as applicable, and that the vehicles are safe for operation The rules may include intervals of inspections

(2) The State Board of Higher Education may adopt and enforce separate rules of the type described under this section for school busses and school activity vehicles that are under its jurisdiction

(3) The rules adopted under this section

(a) Are subject to any other statute or regulation relating to the safety of vehicles for operation and the inspection of vehicles

(b) May include different requirements for different classes or types of school busses or school activity vehicles

(c) May include any exemptions determined appropriate under ORS 820 150 [1983 c 338 §749, 1985 c 420 §14]

820.130 School bus registration. The division shall issue registration for a school bus when notified that the vehicle conforms to applicable rules under ORS 820 100 to 820 120 and that the vehicle is safe for operation on the highways Notification required by this section shall be from

(1) The Department of Education or its authorized representative regarding vehicles under its regulatory authority

(2) The State Board of Higher Education or its authorized representative regarding vehicles under its jurisdiction [1983 c 338 §752, 1985 c 420 §17]

820.140 Revocation of registration. The division may revoke the registration of any school bus if the division determines that the vehicle

(1) Is not maintained and operated in accordance with rules applicable to the vehicle under ORS 820 100 to 820 120, or

(2) Is not safe for operation over or is not safely operated over the public highways [1983 c 338 §753, 1985 c 16 §360, 1985 c 420 §18]

820.150 Rules for exemption of certain vehicles from Oregon Vehicle Code. (1) The Department of Education, by rule, may establish classes or types of vehicles that are not considered school busses or school activity vehicles for purposes of the Oregon Vehicle Code or classes of

school busses or school activity vehicles that are not subject to regulation under the Oregon Vehicle Code either partially or completely

(2) The State Board of Higher Education may adopt separate rules of the type described under this section for vehicles that are under its jurisdiction

(3) Rules adopted under this section are subject to the following

(a) Any exemption, either partial or total, established under this section may be based upon passenger capacity, on limited use or on any other basis the board or department considers appropriate

(b) No exemption, either partial or total, shall be established under this section for any vehicle that is marked with or displays the words "school bus"

(c) Any vehicle determined not to be a school bus under this section is not a school bus within the definition established under ORS 801 460 Partial exemptions established for vehicles under this section may include removal of the vehicle from any provisions relating to school busses under the vehicle code

(d) Any vehicle determined not to be a school activity vehicle under this section is not a school activity vehicle within the definition established under ORS 801 455 Partial exemptions established for vehicles under this section may include removal of the vehicle from any provisions relating to school activity vehicles under the vehicle code

(e) In considering any rules under this section, the board and the department shall consider the need to assure student safety [1985 c 420 §16]

820.160 Illegal display of school bus markings; penalty. (1) A person commits the offense of illegal display of school bus markings if the person displays the words "School Bus" on any vehicle unless the vehicle

(a) Is used in transporting school children to or from school or an authorized school activity or function, and

(b) Complies with the applicable requirements under rules established under ORS 820 100 to 820 120

(2) The offense described in this section, illegal display of school bus markings, is a Class C traffic infraction [1983 c 338 §750, 1985 c 393 §52]

820.170 Improper school bus markings; penalty. (1) A person commits the offense of improper school bus markings if the person displays the words "School Bus" on a vehicle without such words being marked in the front and in the rear in letters eight inches high or higher and of proportionate width

(2) The offense described in this section, improper school bus markings, is a Class C traffic infraction [1983 c 338 §751, 1985 c 393 §53]

820.180 Unsafe school vehicle operation; penalty. (1) A person commits the offense of unsafe school vehicle operation if the person operates or owns and causes or permits to be operated a school bus or school activity vehicle in a manner that is in violation of any rules applicable to the vehicle that are adopted under ORS 820 100 to 820 120

(2) The offense described in this section, unsafe school vehicle operation, is a Class C traffic infraction [1985 c 420 §4]

820.190 Minor operating school vehicle; penalty. (1) A person commits the offense of being a minor operating a school vehicle if the person is under 18 years of age and the person drives any of the following while it is in use for the transportation of pupils to or from school or an authorized school activity or function

(a) A school bus

(b) A school activity vehicle

(c) A vehicle owned by a public or governmental agency

(d) A privately owned vehicle that is operated for compensation that is a vehicle other than a vehicle commonly known and used as a private passenger vehicle and not operated for compensation except in the transportation of students to or from school

(2) The offense described in this section, minor operating a school vehicle, is a Class B traffic infraction [1983 c 338 §754, 1985 c 420 §19]

MISCELLANEOUS PROVISIONS

820.200 Minor operating public passenger vehicle; penalty. (1) A person commits the offense of being a minor operating a public passenger vehicle if the person is under 21 years of age and the person drives a motor vehicle while it is in use as a public passenger-carrying vehicle

(2) The offense described in this section, minor operating a public passenger vehicle, is a Class B traffic infraction [1983 c 338 §755]

820.210 Registration exemptions for golf carts and similar vehicles. (1) Golf carts operated in accordance with an ordinance adopted under ORS 810 070 are exempt from registration requirements under the vehicle code

(2) Golf carts or substantially similar vehicles that are operated by disabled persons at not more than 15 miles an hour are exempt from registration requirements under the vehicle code

(3) Notwithstanding any provision of the vehicle code relating to vehicle equipment and condition, upon designation of a portion of a highway becoming effective under an ordinance adopted under ORS 810 070, it shall be lawful to drive golf carts on highways or portions thereof so designated in accordance with the rules and regulations prescribed by the local authority [1983 c 338 §780]

820.220 Operation of low-speed vehicle in prohibited area; penalty. (1) A person commits the offense of operation of a low-speed vehicle in a prohibited area if the person is a disabled person and the person operates a golf cart or substantially similar motor vehicle on any highway with a speed designation greater than 25 miles per hour

(2) The offense described in this section, operation of low speed vehicle in prohibited area, is a Class D traffic infraction [1983 c 338 §781]

AMBULANCES AND EMERGENCY VEHICLES

(Application of Traffic Laws)

820.300 Exemptions from traffic laws. (1) Subject to conditions, limitations, prohibitions and penalties established for emergency vehicle drivers under ORS 820 320 and for ambulance drivers under ORS 820 310, the driver of an emergency vehicle or ambulance may do any of the following

(a) Park or stand in disregard of a statute, regulation or ordinance prohibiting that parking or standing

(b) Proceed past a red signal or stop sign

(c) Exceed the designated speed limits

(d) Disregard regulations governing direction of movement or turning in specified directions

(e) Proceed past the flashing bus safety lights without violating ORS 811 155 if the driver first stops the vehicle and then proceeds only when the driver

(A) Determines that no passengers of the bus remain on the roadway, and

(B) Proceeds with caution

(2) The provisions of this section

(a) Do not relieve the driver of an emergency vehicle or ambulance from the duty to drive with due regard for the safety of all other persons

(b) Are not a defense to the driver of an emergency vehicle or ambulance in an action brought for criminal negligence or reckless conduct

(c) Except as specifically provided in this section, do not relieve the driver of an emergency vehicle or ambulance from the duty to comply with ORS 811 155 [1983 c 338 §757, 1985 c 16 §362]

820.310 Illegal operation of ambulance; penalty. (1) A person commits the offense of illegal operation of an ambulance if the person is the driver of an ambulance and the person violates any of the following

(a) The privileges described under ORS 820 300 may only be exercised by the driver of an ambulance if the driver is a person who is certified as an emergency medical technician in accordance with ORS 823 130 or who has been granted an exemption from the requirement of obtaining such certification or who is directed by a certified emergency medical technician

(b) The driver of an ambulance may only exercise the privileges described under ORS 820 300 if the driver has reasonable grounds to believe that delay of an ambulance will jeopardize human life

(c) Any time the privileges described under ORS 820 300 are exercised, the driver of the ambulance must operate or direct the operation of an audible signal or visual signal meeting the requirements of ORS 820 350

(d) In exercising the privileges under ORS 820 300 (1)(e) relating to busses and bus safety lights, the driver of an ambulance must first stop the vehicle and then must

(A) Determine that no passengers of the bus remain on the roadway, and

(B) Proceed with caution

(e) In proceeding past any stop light or stop sign under the privileges granted under ORS 820 300, the driver of an ambulance must slow down as may be necessary for safe operation

(f) The driver of an ambulance must not exceed any designated speed limit to an extent which endangers persons or property and in no instance shall such driver exceed a designated speed limit by more than 10 miles an hour

(g) The driver of an ambulance may only exercise privileges granted under ORS 820 300 when responding to an emergency call or when responding to, but not upon returning from, an emergency

(h) The driver of an ambulance must use a visual signal when the driver is exercising privileges granted under ORS 820 300

(i) In addition to any required visual signal, the driver of an ambulance must make use of an audible signal meeting the requirements under ORS 820 370 when the driver is proceeding past a stop light or stop sign under privileges granted by ORS 820 300 (1)(b)

(j) A driver of an ambulance who is exercising privileges granted under ORS 820 300 by parking or standing an ambulance in disregard of a regulation or ordinance prohibiting that parking, stopping or standing, shall not use the audible signal

(2) The offense described in this section, illegal operation of an ambulance, is a Class B traffic infraction [1983 c 338 §758, 1985 c 16 §363, 1985 c 278 §2]

820.320 Illegal operation of emergency vehicle; penalty. (1) A person commits the offense of illegal operation of an emergency vehicle if the person is the driver of an emergency vehicle and the person violates any of the following

(a) The driver of an emergency vehicle may only exercise privileges granted under ORS 820 300 when responding to an emergency call, when in the pursuit of an actual or suspected violator of the law or when responding to, but not upon returning from, an emergency

(b) The driver of an emergency vehicle must use a visual signal with appropriate warning lights when the driver is exercising privileges granted under ORS 820 300

(c) In addition to any required visual signal, the driver of an emergency vehicle must make use of an audible signal meeting the requirements under ORS 820 370 when the driver is proceeding past a stop light or stop sign under privileges granted by ORS 820 300 (1)(b)

(d) A driver of an emergency vehicle who is exercising privileges granted under ORS 820 300 by parking or standing an emergency vehicle in disregard of a regulation or ordinance prohibiting that parking, stopping or standing, shall not use the audible signal

(e) In exercising the privileges under ORS 820 300 (1)(e) relating to busses and bus safety lights, the driver of an emergency vehicle must first stop the vehicle and then must

(A) Determine that no passengers of the bus remain on the roadway, and

(B) Proceed with caution

(f) In proceeding past any stop light or stop sign under the privileges granted by ORS 820 300, the driver of an emergency vehicle must slow down as may be necessary for safe operation

(g) The driver of an emergency vehicle must not exceed any designated speed limit to an extent which endangers persons or property

(2) The driver of an emergency vehicle that is operated as an emergency police vehicle is not required to use either visual signal or the audible signal as described in this section in order to exercise the privileges granted in ORS 820 300 when it reasonably appears to the driver that the use of either or both would prevent or hamper the apprehension or detection of a violator of a statute, ordinance or regulation

(3) The offense described in this section, illegal operation of an emergency vehicle, is a Class B traffic infraction [1983 c 338 §759 1985 c 16 §364]

(Records)

820.330 Failure to make, maintain and make available ambulance records; exemption; penalty. (1) A person commits the offense of failure to make, maintain and make available ambulance records if the person violates any of the following

(a) When an ambulance is used in an emergency situation the driver of the ambulance, within 24 hours after such use, must cause to be made and must sign a record that complies with ORS 820 340

(b) The owner of any ambulance must cause any record required by this section to be preserved for not less than seven years

(c) Upon demand of any district attorney, the custodian of any record required under this section must make the record available to that district attorney for the purpose of investigating any alleged violation of ORS 820 310 by a driver of an ambulance

(d) Upon demand of an authorized representative of the Health Division, the custodian of any record required under this section shall make the record available to the authorized representative who wishes to inspect the record for purposes of ascertaining identities of emergency medical technicians as defined in ORS 823 020

(2) This section does not apply to any person or ambulance exempted by ORS 823 030 or 823 230 from regulation by the Health Division

(3) Authority of political subdivisions to regulate records of ambulances is limited under ORS 823 220

(4) The offense described in this section, failure to make, maintain and make available ambulance records, is a Class B traffic infraction [1983 c 338 §760, 1985 c 393 §54]

820 340 Contents of ambulance records. Records required under ORS 820 330 shall contain all of the following

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

(2) The name of the ambulance driver and the name of the emergency medical technicians, as defined in ORS 823 020, who provided the service, one of whom may be the driver

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

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

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

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

(7) The time of day when service for the individual is begun and ended [1983 c 338 §761]

(Equipment)

820.350 Ambulance warning lights. (1) Subject to any other law or rule pursuant thereto relating to lighting of a vehicle, the division may prescribe required warning lights for ambulances The requirements established under this section may include, but are not limited to, numbers required, placement, visibility, rate of flash if applicable and inside indicators

(2) Enforcement of the requirements established under this section is provided under ORS 820 360 and 823 050. [1983 c 338 §762, 1985 c 79 §1]

820.360 Illegal ambulance lighting equipment; exemption; penalty. (1) A person commits the offense of illegal ambulance lighting equipment if the person drives or moves on any highway or owns and causes or knowingly permits to be driven or moved on any highway an ambulance that does not contain and is not at all times equipped with warning lights in proper condition and adjustment as required under ORS 820 350

(2) This section does not apply to any person or ambulance exempted by ORS 823 030 or 823 230 from regulation by the Health Division.

(3) Authority of political subdivisions to regulate warning lights on ambulances is limited under ORS 823 220

(4) The offense described under this section, illegal ambulance lighting equipment, is a Class B traffic infraction [1983 c 338 §763]

820.370 Ambulance or emergency vehicle sirens. (1) Subject to any other law or rule pursuant thereto relating to the noise of a vehicle, the Motor Vehicles Division may prescribe required sirens or other audible signals for ambulancesand emergency vehicles The requirements established under this section may include, but are not limited to, numbers required, placement, audibility and inside indicators

(2) Enforcement of the requirements established under this ORS 820 380 and 823 050 [1983 c 338 §764, 1985 c 16 §365, 1985 c 79 §2]

820.380 Illegal ambulance or emergency vehicle sirens; exemption; penalty. (1) A person commits the offense of illegal ambulance or emergency vehicle sirens if the person drives or moves on any highway or owns and causes or knowingly permits to be driven or moved on any highway an ambulance or emergency vehicle that does not contain and is not at all times equipped with sirens or other audible signals in proper conditions and adjustment as required under 820 370

(2) This section does not apply to any ambulance or person operating or owning an ambulance if the ambulance or person is exempted by ORS 823 030 or 823 230 from regulation by the Health Division

(3) Authority of political subdivisions to regulate sirens and other audible signals is limited under ORS 823 220

(4) The offense described under this section, illegal ambulance or emergency vehicle sirens, is a

(a) Class B traffic infraction if the vehicle is an ambulance

(b) Class C traffic infraction if the vehicle is an emergency vehicle [1983 c 338 §765]

IMPLEMENTS OF HUSBANDRY

820.400 Unlawful operation of implement of husbandry; penalty. (1) A person commits the offense of unlawful operation of an implement of husbandry if the person operates an implement of husbandry in violation of any of the following

(a) Such vehicle must be driven as closely as is practicable to the right-hand edge of the roadbed, including the shoulders, if any

(b) Such vehicle, if the movement of the vehicle occurs during the hours of darkness, must be equipped and operating two headlights, clearance lights and reflectors marking the overall width as far as practical and visible from the front, rear and sides and a taillight

(c) No television viewer, screen or other means of visually receiving a television broadcast shall be operated in an implement of husbandry at any time while the implement of husbandry is being operated on a highway

(d) Such vehicle must display, when driven, a slow-moving vehicle emblem described in ORS 815 060

(2) The offense described in this section, unlawful operation of an implement of husbandry, is a Class C traffic infraction [1983 c 338 §779, 1985 c 69 §7, 1985 c 393 §55]

MOBILE HOMES

820.500 Registration; title; fees; assessment and taxation; records. Except as provided in this section, ORS 820 530 to 820 580, or as otherwise specifically provided by law, mobile homes are subject to the same provisions concerning registration, titling, sale by dealers, transfers, transfers of interest and payment of fees as required for any other vehicle required to be registered under the vehicle code The following provisions apply to mobile homes

(1) The registration of a mobile home in this state does not authorize movement of the mobile home on the highways Mobile homes may only be moved upon the highways

(a) By vehicle transporters as permitted under ORS 822 310, or

(b) By persons operating under a trip permit under ORS 803 600, 820 560 and 820 570

(2) In addition to other information required on an application for registration of a mobile home, the application shall contain information as to the present and proposed location of the mobile home The division shall notify the appropriate assessors of the present and proposed locations

(3) The division shall not issue a certificate of title or register a new mobile home without presentation of the manufacturer's certificate of origin containing the year of manufacture, the make and the manufacturer's vehicle identification number. The manufacturer of a mobile home shall issue a certificate of origin sufficient for this subsection with each mobile home to be sold in this state

(4) Mobile homes are registered for ownership registration periods described in ORS 803 400 with new registration made at each transfer of ownership

(5) Mobile homes are not subject to inspection under ORS 803 210

(6) Upon registration of a mobile home, one registration plate shall be issued The registration plate shall be permanent and shall remain with the mobile home when the mobile home is transferred The registration plate is subject to display requirements as provided under ORS 820 550

(7) Mobile homes registered under ORS 805 040 and 805 100 are subject to the provisions of those sections

(8) The fees for registration of mobile homes are as provided under ORS 820 580

(9) Mobile homes are subject to assessment and taxation under the ad valorem tax laws of this state whether or not registered under the vehicle code In addition to any other mobile homes, this subsection applies to mobile homes subject to an exemption under ORS 820 510

(10) Except as provided under ORS 820 510, every registration fee on a mobile home and any penalty added thereto, from the date on which the registration fees become due, shall constitute a lien upon the mobile home for which due Except as provided under ORS 820 510, if the ownership of a mobile home subject to any lien provided for by this subsection is transferred, whether by operation of law or otherwise, no registration card or certificate of title with respect to such mobile home shall be issued by the division to the transferee or person otherwise entitled thereto until the division has determined that such lien has been removed

(11) Subject to subsection (12) of this section, no certificate of title to a mobile home that is on the assessment and tax rolls of any county shall be transferred under ORS 803 095, unless the division is satisfied that all property taxes and special assessments for the current tax year and all delinquent property taxes and special assessments are paid

(12) Subsection (11) of this section is subject to the following

(a) Nothing in subsection (11) of this section applies to or places any limitation on title actions involving the deletion or addition of a coowner or security interest holder

(b) Subsection (11) of this section is applicable to mobile homes subject to an exemption under ORS 820 510 as provided by rule of the division adopted under ORS 820.510

(13) The division shall maintain records on

(a) Mobile homes as required under ORS 802 200

(b) Mobile homes subject to an exemption under ORS 820 510 as the division determines necessary

(14) Immediately upon suspension or cancellation of any registration of a mobile home under ORS 809 070, the registration fee is delinquent and the provisions of this section relating to liens become applicable

(15) Special use trailers are subject to the registration provisions for special use trailers and are not subject to the provisions for mobile homes under this section [1983 c 338 §782, 1985 c 16 §378 1985 c 416 §7]

820.510 Exemption from registration and title requirements; effect. (1) The division shall establish by rule procedures for the owner of a mobile home that is located on land in which the owner of the mobile home has record title to obtain an exemption from any requirements to register and title the mobile home under the vehicle code Rules adopted by the division shall include the following

(a) Provisions for surrender of the title and registration of such mobile home that is currently registered and titled to the county assessor of the county where the mobile home is located for delivery to the division

(b) Provisions whereby the purchaser of a new mobile home that is located on land owned by the purchaser may obtain the exemption under this section without having to register and title the mobile home under the vehicle code

(c) Provisions for registration and titling of a mobile home that has been subject to an exemption under this section so that the mobile home may be sold separately from the land upon which it is located

(d) Provisions for notification of the county assessor of the county where a mobile home that is subject to an exemption obtained under this section is located so that the assessor may perform the assessor's duties relating to the mobile home in a manner consistent with this section

(e) Provisions for notification of any holders of security interests in mobile homes for which an exemption is obtained under this section so that the security interest holders may protect the security interest

(f) Provisions for notification of any holders of a mortgage on land upon which a mobile home is located if the mobile home is registered with the division after being subject to an exemption under this section

(g) Any other procedures the division determines necessary to carry out the purposes of this section

(2) If an exemption is obtained for a mobile home under this section, the following apply

(a) Except as otherwise provided in this section or by the rules of the division, the mobile home upon obtaining the exemption under this section shall become subject to the same provisions of law in this state that would apply to any other building, housing or structure on the land

(b) After obtaining the exemption, the mobile home may not be sold separately from the land upon which the mobile home is located and may not be moved unless registered and titled under the vehicle code or unless otherwise provided by rule of the division

(c) Nothing in this section affects any lien or security interest in a mobile home that is exempted under this section if the security interest or lien attaches before the exemption is obtained

(3) The division shall only allow mobile homes that were manufactured after June 15, 1976, to be exempted as provided under this section

(4) This section does not grant authority to change or alter construction standards applicable to mobile homes A mobile home that is exempted as provided under this section shall be subject to the same construction standards applicable to other mobile homes

(5) Every official, officer and employe of this state or any agency of this state shall cooperate with the division as requested by the division to carry out the purposes of this section and shall establish such rules or procedures as are consistent with the authority of the official, officer or employe for purposes of carrying out the intent of this section

(6) Notwithstanding any other provision of law, the Motor Vehicles Division may take any reasonable amount of time the division determines necessary to implement the procedures required by this section The division may implement the procedures in stages, may place initial limits on the applicability of the procedures or may take any other administrative steps the division considers convenient for the division in order to provide an orderly and consistent implementation of the procedures developed for purposes of this section As necessary, the division may delay the implementation of procedures when the division determines that certain procedures may require legislation in order to fully carry out the purposes of this section [1985 c 16 §381]

820.520 Travel or special use trailer assessed as mobile home; effect of ceasing to be used as permanent home. When a travel

trailer or special use trailer assessed under the ad valorem tax laws of this state as a mobile home under ORS 308 880 or 820 510 ceases to be used a permanent home, it shall be registered and licensed as a travel trailer or special use trailer for the registration period commencing on January 1, prior to the end of the last tax year for which the vehicle was subject to ad valorem taxation [1983 c 338 §783 1985 c 16 §379]

820.530 Violating mobile home title requirements; exemptions; penalty. (1) A person commits the offense of violating mobile home title requirements if the person owns any mobile home in this state and does not secure a certificate of title for the mobile home whether or not the mobile home is operated on the highways

(2) The following exemptions, partial or complete as described, apply to this section

(a) The owner of any mobile home that does not have a title because of the operation of the following is not required to procure a title until the time described

(A) If the mobile home does not have a title pursuant to ORS 308 855 or 308 860 (1969 Replacement Part), the owner must procure a title when the ownership of the mobile home is changed

(B) If the mobile home does not have a title pursuant to 820 510, the owner must procure a title when required under ORS 820 510

(b) This section does not apply to United States Government-owned and operated mobile homes

(c) Vehicle dealers issued certificates under ORS 822 020 may use or operate untitled mobile homes as provided under ORS 822 040

(d) Vehicle transporters issued certificates under ORS 822 310 may transport untitled mobile homes as provided in ORS 822 310

(e) Untitled mobile homes may be transported in this state under trip permits issued under ORS 803 600'

(f) A mobile home currently registered and titled in any other country, state or territory may be used in this state or operated over the highways subject to all of the conditions contained in ORS 803 305 governing the operation or use of out-of-state titled vehicles

(3) The offense described in this section, violating mobile home title requirements, is a Class C traffic infraction [1983 c 338 §784, 1985 c 16 §382, 1985 c 401 §16]

820.540 Failure to register mobile home; exemptions; penalty (1) A person commits the offense of failure to register a mobile home if the person owns a mobile home in this state and the mobile home is not registered by this state

(2) Persons are exempt from this section if

(a) The mobile home owned by the person qualifies under one of the exemptions from registration established for other vehicles under ORS 803 305

(b) The mobile home is exempt from registration under ORS 820 510

(3) The offense described in this section, failure to register mobile home, is a Class C traffic infraction [1983 c 338 §785, 1985 c 16 §383]

820.550 Failure to display mobile home registration plate; prohibition; penalty. (1) A person commits the offense of failure to display a mobile home registration plate if the person owns a mobile home that is registered in this state and the person does not affix the registration plate issued for the mobile home by the division to the mobile home in plain sight

(2) The offense described in this section, failure to display mobile home registration plate, is a Class C traffic infraction [1983 c 338 §786]

820.560 Mobile home trip permits; content. In addition to the requirements for trip permits under ORS 803 600, trip permits for mobile homes shall meet the requirements under this section All of the following apply to trip permits for mobile homes

(1) The trip permit shall be at least eight and one-half inches by 11 inches

(2) The permit shall be of a color and size of print to be as easily identified as a vehicle registration plate issued under the vehicle code

(3) Permits shall be prominently displayed on the rear of the mobile home being moved

(4) A copy of the permit shall be sent to the division The division shall retain the copy or the information therefrom and shall notify the assessor of the county where the mobile home had situs prior to the move and the assessor of the county to which the mobile home will be moved

(5) Permits shall be issued to dealers and transporters in bulk prior to the time of movement

(6) Permits may be completed by the person moving the mobile home

(7) Permits shall be completed prior to movement

(8) The copy for the division shall be remitted to the division within 10 days after the time of movement

(9) No trip permit shall be issued for movement of a mobile home until payment is made to the county of all property taxes and special assessments as provided in ORS 308 865

(10) Permits shall contain such information as required by the division

(11) Permits shall contain

(a) The name of the owner of the mobile home,

(b) The registration plate number of the mobile home or the vehicle identification number of the mobile home if a registration plate has not been issued,

(c) The location of the place from which the mobile home was moved, and

(d) The street address or map and tax lot number of the place to which the mobile home is to be moved

(12) Prior to the completion of a permit or movement of the mobile home, the owner must furnish the division a statement from the assessor in which the mobile home has situs that all taxes have been paid The statement shall be furnished by the assessor under ORS 308 865 [1983 c 338 §787, 1985 c 16 §384, 1985 c 416 §8]

820.570 Violating trip permit requirements for mobile homes; penalty. (1) A person commits the offense of violating trip permit requirements for mobile homes if the person does any of the following

(a) Moves a mobile home on a highway of this state without a trip permit for the movement This paragraph does not apply to movements of mobile homes by vehicle transporters as permitted under ORS 822.310

(b) Fails to prominently display a trip permit on the rear of a mobile home being moved when a trip permit is required for the move under this section

(c) Moves a mobile home when a permit is required under this section without a copy of the permit being sent to the division

(d) Moves a mobile home when a permit is required under this section without the permit being completed prior to the movement

(e) Moves a mobile home when a permit is required under this section without a copy of the permit being remitted to the division within 10 days after the time of movement

(f) Issues a trip permit for movement of a mobile home before payment is made to the county of all property taxes and special assessments as provided in ORS 308 865

(2) The offense described under this section, violating trip permit requirements for mobile homes, is a Class B traffic infraction [1983 c 338 §788 1985 c 16 §385, 1985 c 416 §9]

820.580 Mobile home registration fee. The registration fee for a mobile home is $10 This fee is payable with each change of registration [1983 c 338 §789, 1985 c 16 §386]