



RROMAC MEETING MINUTES

June 18, 2009

Members:

Jim Burns
Robert Ewers
Wendy Mortensen
Ken Moyle
Gary Virgin
Dave Vanasche

Staff:

Dave Schamp
Greg Clemmons
Keith Lewis
Victoria Saager
Stacia Sheelar
Gary Stockhoff
Todd Watkins

Absent:

Keith Fishback
Lanny Garland
Eldon Jossi
Matt Pihl
Lars Wahlstrom

Guests:

Doug Riedweg

Welcome

Bill Ewers called the meeting to order at 7:35 a.m. Wendy Mortensen motioned to approve the May minutes and Jim Burns seconded the motion. All were in favor.

Economic Stimulus Update

Gary Stockhoff mentioned things are settling down with the American Recovery and Reinvestment Act (ARRA). ODOT has been very helpful. Two projects that are on the list are yellow flashing arrows and school zone flashers. Design work has been awarded for signal timing, rural and urban overlays, and guardrail upgrades. Asking for \$1 million through Metro for video detection in lieu of signal loops. Bid will be next February. Assisting Tigard with flashing yellow arrows and video detection.

Road Fund overlay bid was \$782k – Old 99W, Bald Peak, Edy, and Strohmayer. Cornelius Schefflin Bridge work will begin in July. Saltzman Road project bid was 35% under. 209th Bridge shutdown starting Monday, June 22. River Road is ahead of schedule and should be open before school starts.

Gravel Road Upgrades

Parmele and Whitmore LIDs are happening, Reiling Road is being upgraded from gravel, and Harrington Road is being paved as part of a citizen co-op.

Greg Clemmons informed RROMAC that LID's will be funded 100% by residents going forward. John Clausen from Old Pumpkin Ridge Road may still be interested. County funded dust abatement starts in two weeks.

ODOT Midway/Laurel

Bill Ewers reminded the group there will be an Open House regarding the Midway/Laurel projects. It will be held on June 22 at the Hillsboro Civic Center and anyone that can attend is encouraged to do so. ODOT will join us next month to report on the open house.

Work Program

Todd Watkins discussed the Work Program and a 20-25% decrease in service going forward. Work Program is becoming more performance based while using scheduling and budget constraints to develop lists of activities.

Miscellaneous

Dave Vanasche asked Victoria to run the 'Share the Road' media release again regarding farm vehicles. Victoria will run the release in the next couple of weeks.

Sgt. Marzilli provided (by proxy) information about ATV and vehicles of husbandry laws as requested last month. (Attached)

Speisschart Road land use issues were discussed. Farm Bureau requests no development north of Council Creek.

Urban rural reserve was discussed. A RROMAC representative is needed to attend the next meeting on July 6 at 1:30 p.m. at the Beaverton Library. Bill Ewers and Ken Moyle will attend. Dave Vanasche suggested they invite Ron Dobbins to go along.

Wendy Mortensen motioned to adjourn and Dave Vanasche seconded the motion.

ATV regulations

821.191 Operation of Class I or Class II all-terrain vehicle on highway; unlawful operation of Class I or Class II all-terrain vehicle used for agricultural purposes; penalty. (1) Notwithstanding any other provision of law, a person may operate a Class I all-terrain vehicle or a Class II all-terrain vehicle that is not otherwise properly equipped for operation on a highway on the highways of this state if:

- (a) The person is using the all-terrain vehicle for transportation between ranching or farming headquarters, agricultural fields or pastures;
- (b) The person holds a valid driver license;
- (c) The person complies with posted speed limits, but in no event exceeds a speed of 20 miles per hour;
- (d) The person operates the all-terrain vehicle as closely as is practicable to the right-hand edge of the highway, including shoulders, if any;
- (e) The all-terrain vehicle is equipped with a lighted headlight and taillight; and
- (f) The all-terrain vehicle displays a slow-moving vehicle emblem described under ORS 815.060.

(2) A person commits the offense of unlawful operation of a Class I all-terrain vehicle or a Class II all-terrain vehicle used for agricultural purposes if the person operates a Class I all-terrain vehicle or a Class II all-terrain vehicle on a highway in violation of subsection (1) of this section.

(3) The offense described in subsection (2) of this section, unlawful operation of a Class I all-terrain vehicle or a Class II all-terrain vehicle used for agricultural purposes, is a Class D traffic violation. [2001 c.529 §2,3; 2007 c.207 §2]

Note: 821.191 was added to and made a part of ORS chapter 821 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

821.202 Failure of Class I or Class III all-terrain vehicle rider to wear motorcycle helmet; penalty. (1) A person commits the offense of failure of a Class I or Class III all-terrain vehicle operator or passenger to wear a motorcycle helmet if the person is under 18 years of age, operates or rides on a Class I or Class III all-terrain vehicle on premises open to the public and is not wearing a motorcycle helmet with a fastened chin strap.

(2) The requirement to wear a motorcycle helmet with a fastened chin strap does not apply if the all-terrain vehicle is:

(a) Used exclusively in farming, agricultural or forestry operations or used by persons licensed under ORS chapter 571 exclusively for nursery or Christmas tree growing operations.

(b) Being used on land owned or leased by the owner of the vehicle.

(3) The offense described in this section, failure of a Class I or Class III all-terrain vehicle operator or passenger to wear a motorcycle helmet, is a Class D traffic violation. [1995 c.775 §2,10; 2007 c.887 §3a]

Farm Equipment regulations

815.290 Lists various sections exempting farm equipment from certain equipment requirements

818.100 (12) Exempts implements of husbandry (801.310 definition) from the size requirements

820.400 Describes unlawful operation of implement of husbandry

Here are the corresponding ORS citations:

801.310 “Implement of husbandry.” “Implement of husbandry” means a vehicle or device used exclusively in agricultural operations. Truck trailers with a loaded weight of more than 8,000 pounds, motor vehicles, bus trailers, manufactured dwellings, prefabricated structures and recreational vehicles greater than eight and one-half feet in width and travel trailers are not implements of husbandry unless limited by design to agricultural uses. [1983 c.338 §52; 1985 c.16 §15; 1987 c.119 §1; 1989 c.723 §3; 1993 c.696 §6; 2003 c.655 §88]
(Implements of Husbandry)

815.290 Exemptions from equipment requirements. (1) In addition to any other specific exemptions provided for implements of husbandry, implements of husbandry are exempt from any requirements under the following:

- (a) ORS 815.075 and 815.100, relating to state requirements for vehicle equipment.
- (b) ORS 811.515, 811.520, 816.040 to 816.290, 816.320, 816.330, 816.350 and 816.360, relating to requirements for and use of lighting equipment.
- (c) ORS 815.125 and 815.130, relating to brake requirements.
- (d) ORS 815.180 and 815.185, relating to fender and mudguard requirements and use.
- (e) ORS 815.210, relating to material in windshields.
- (f) ORS 815.215, relating to requirements for windshield wipers.
- (g) ORS 815.230, relating to vehicle sound equipment.
- (h) ORS 815.235, relating to rearview mirrors.
- (i) ORS 815.240, relating to image display devices in vehicles. Limitations on the use of image display devices in implements of husbandry are provided in ORS 820.400.
- (j) ORS 815.250, relating to vehicle exhaust and exhaust equipment.

(2) This section does not exempt implements of husbandry from the requirements for equipment and operation under ORS 820.400. [1983 c.338 §778; 1985 c.16 §375; 1985 c.69 §6; 2005 c.572 §2]

818.100 Exemptions from size limitations. This section establishes exemptions from the maximum size limitations under ORS 818.080 and 818.090. The exemptions under this section are in addition to any exemptions under ORS 801.026. Operation in accordance with one of the exemptions described is not subject to ORS 818.090. Exemptions are partial or complete as described in the following:

(1) The maximum size limits do not apply on any way, thoroughfare or place owned by a district formed under ORS chapters 545, 547, 551 or a corporation formed under ORS chapter 554.

(2) The maximum size limits do not apply on 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.

(3) The maximum size limits 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) The maximum size limits do not apply to vehicles while being used on the roads of a road authority by mass transit districts for the purposes authorized under ORS 267.010 to 267.390, provided the size of the vehicles is approved by the road authority for the roads.

(5) Size limits are not applicable in any place and to the extent size limits are modified by a road authority under ORS 810.060. The exemption under this subsection is subject to the limitations imposed by the road authority exercising the powers granted under ORS 810.060.

(6) Operations authorized to exceed size limits by a variance permit issued under ORS 818.200 are subject to the terms of the permit. It shall be a defense to any charge of violation of ORS 818.090 if the person so charged produces a variance permit issued under ORS 818.200 authorizing the operation of the vehicle or combination of vehicles issued prior to and valid at the time of the offense.

(7) Pneumatic tires made of elastic material, flexible mud flaps, flexible fenders, 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 the maximum allowable width described in Table I of ORS 818.080 by a distance not greater than two inches on each side of the vehicle.

(8) Rearview mirrors may exceed the maximum allowable width described in Table I of ORS 818.080 by a distance of not greater than five inches on each side of the vehicle.

(9) Notwithstanding the maximum allowable length of vehicles and loads on vehicles under Table I of ORS 818.080, public utilities, telecommunications 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 an overall length including load the total length of which is not in excess of 80 feet unless an emergency exists.

(10) The load on a semitrailer may exceed the maximum length established under ORS 818.080 providing the load does not:

- (a) Extend beyond the rear of the semitrailer by more than five feet;
- (b) Extend forward of the rear of the cab of the towing vehicle; or
- (c) Exceed an overall length permitted by a rule, resolution or ordinance adopted under ORS 810.060.

(11) The load upon a truck tractor and pole trailer may exceed the maximum length established under ORS 818.080 if the overall length does not exceed that authorized by a rule, resolution or ordinance adopted under ORS 810.060.

(12) None of the size limits described under ORS 818.080 except the maximum limit of allowable extension beyond the last axle of a combination of vehicles under Table II apply to implements of husbandry hauled, towed or moved upon any highway not a part of the Federal Interstate Highway System if the movement is incidental to a farming operation and the owner of the implement of husbandry is engaged in farming or if the owner is hired by or under contract to a farmer to perform agricultural activities.

(13) The rear overhang of a combination of vehicles described in this subsection may extend more than one-third but not more than one-half the length of the wheelbase of the combination of vehicles. This subsection is applicable to any combination of vehicles consisting of a motor vehicle towing any of the following:

(a) A travel trailer.

(b) Any trailer designed to carry a single nonmotorized aircraft.

(14) The rear overhang of a combination consisting of a motor vehicle towing a manufactured structure may exceed one-third, but may not exceed one-half, the length of the wheelbase of the combined vehicle and structure.

(15) A recreational vehicle may exceed the maximum width established under ORS 818.080 if the excess width is attributable to an appurtenance that does not extend beyond the body of the vehicle by more than four inches, or if a passenger-side awning, by more than six inches. As used in this subsection, "appurtenance" means an appendage that is installed by a factory or a vehicle dealer and is intended as an integral part of the recreational vehicle. "Appurtenance" does not include an item temporarily affixed or attached to the exterior of a vehicle for the purpose of transporting the item from one location to another. "Appurtenance" does not include an item that obstructs the driver's rearward vision.

(16)(a) A recreational vehicle may exceed the maximum length established under ORS 818.080 if the vehicle is not more than 45 feet long.

(b) A combination that includes a recreational vehicle that is not more than 45 feet long, when operating on Group 1 or Group 2 highways as designated by the Department of Transportation, may exceed the maximum length for vehicles in a combination established under ORS 818.080 if the combination is not more than 65 feet long.

(17) A motor vehicle transporter may exceed the maximum lengths established in ORS 818.080 for a single vehicle, a vehicle in a combination of vehicles and a load if the length of the single vehicle, vehicle in a combination or load does not exceed 45 feet.

(18) A motor vehicle transporter towing another vehicle, when operating on a Group 1 or Group 2 highway as designated by the department, may exceed the maximum length established in ORS 818.080 for a combination of vehicles if the overall length does not exceed 65 feet. [1983 c.338 §516; 1985 c.16 §266; 1985 c.172 §8; 1987 c.447 §141; 1989 c.662 §1; 1991 c.754 §1; 1993 c.416 §2; 1993 c.662 §1; 1993 c.696 §9; 1995 c.79 §376; 1995 c.140 §1; 1995 c.488 §3; 1997 c.405 §1; 1999 c.496 §1; 2001 c.172 §4; 2001 c.335 §2a; 2003 c.655 §121]

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) An image display device may not be operated in an implement of husbandry at any time while the implement of husbandry is being operated on a highway. As used in this paragraph, "image display device" has the meaning given that term in ORS 815.240.

(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 D traffic violation. [1983 c.338 §779; 1985 c.69 §7; 1985 c.393 §55; 1995 c.383 §101; 2005 c.572 §3]