

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rules(s) adopted on April 23, 2008 by the
Date prior to or same as filing date.

Oregon Department of Transportation, Motor Carrier Transportation Division 734
Agency and Division Administrative Rules Chapter Number

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Rules Coordinator Address Telephone

to become effective upon filing through October 21, 2008
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Maximum size limits for vehicle combinations and manufactured home units transported over Oregon highways
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

ADOPT: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND: 734-075-0010

SUSPEND:

ORS 184.616, 184.619, 810.060 & 818.200 None
Stats. Auth. Other Authority

ORS 818.200 & 818.220
Stats. Implemented

RULE SUMMARY

OAR 734-075-0010 addresses maximum allowable size for overdimensional manufactured homes transported over Oregon highways in operation with a variance permit. The proposed rule is necessary to allow the Administrator of the Motor Carrier Transportation Division to determine when a manufactured home that exceeds the current limits in OAR 734-075-0010 may be approved to operate over Oregon highways. Approval will be granted if the Administrator determines the movement is in the public interest and can be done safely. The rule balances the safety of the traveling public on the Interstate and Oregon highway system with legitimate Oregon economic interests.

Authorized Signer Gregg Dal Ponte _____
Printed name Date

*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Department of Transportation, Motor Carrier Transportation Division
Agency and Division

734
Administrative Rules Chapter Number

In the Matter of the amendment of OAR 734-075-0010

Rule Caption: Maximum size limits for vehicle combinations and manufactured home units transported over Oregon highways

Statutory Authority: ORS 184.616, 184.619, 810.060 & 818.200

Other Authority: None

Statutes Implemented: ORS 184.616, 184.619, 810.060 & 818.200

Need for the Temporary Rule(s): OAR 734-075-0010 addresses maximum allowable size for overdimensional manufactured homes transported over Oregon highways in operation with a variance permit. The proposed rule is necessary to allow the Administrator of the Motor Carrier Transportation Division to determine when a manufactured home that exceeds the current limits in OAR 734-075-0010 may be approved to operate over Oregon highways. Approval will be granted if the Administrator determines the movement is in the public interest and can be done safely. The rule balances the safety of the traveling public on the Interstate and Oregon highway system with legitimate Oregon economic interests.

Documents Relied Upon, and where they are available: None

Justification of Temporary Rules(s): The amendments are needed to allow the Department the flexibility needed to ensure vital transportation is not compromised by existing standards, when the transportation will not adversely affect public safety and is in furtherance of potential Oregon economic development. The emergent need for the amendment results from proposed transportation of modular buildings with an 18 foot wide base for a short distance in Oregon destined for an energy project in Canada. Current rules prohibit the proposed movement due to a 16 foot width limitation. An Oregon manufacturer has an opportunity to build modular buildings with an 18 foot wide base for export. Approval of this temporary rule will allow authorization to transport the buildings from the Oregon manufacturer to the Washington border. The Oregon manufacturer indicates that failure to amend the rule will result in the business going to a manufacturer outside of Oregon causing employee layoffs and possible plant closure.

Authorized Signer

Gregg Dal Ponte

Printed name

Date