

# OREGON

Public Utility Commission, Salem, OR. 503-378-5835.

## **Section 818.300. Operating with sifting or leaking load; civil liability; penalty.**

1. A person commits the offense of operating with a sifting or leaking load if the person does any of the following:
  - i. Drives or moves on a highway any vehicle or combination of vehicles that is so constructed or loaded so as to allow its contents to drop, sift, leak or otherwise escape therefrom.
  - ii. Owns a vehicle or combination of vehicles and causes or permits the vehicle or combination of vehicles to be driven or moved on a highway when the vehicle or combination of vehicles is so constructed or loaded so as to allow its contents to drop, sift, leak or otherwise escape therefrom.
2. The application of this section is subject to the exemptions from this section established under ORS 818.310.
3. Violation of the offense described in this section is subject to civil liability under ORS 818.410.
4. The offense described in this section operating with a sifting or leaking load, is a Class B traffic infraction.

Exemptions from prohibition on sifting and leaking load.

This section establishes exemptions from ORS 818.300. The exemptions under this section are in addition to any exemptions under ORS 801.026. Exemptions are partial or complete as described in the following:

1. ORS 818.300 does 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. ORS 818.300 does not apply to 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 license of such agency or both.
3. Operations authorized under the terms of a permit issued under ORS 818.230 are subject to the terms of the permit. It is a defense to any charge of violation of ORS 818.300 if the person so charged produces a permit issued under ORS 818.230 authorizing the operation of the vehicle or combination of vehicles issued prior to and valid at the time of the offense.