

2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 101

STATUS: B Engrossed

SUBJECT: Requires Class I and Class II all-terrain vehicle operators who are under sixteen years of age to have all-terrain vehicle operator permit and take operator safety courses.

GOVERNMENT UNIT AFFECTED: Oregon Department of Transportation, Oregon Judicial Department, Oregon Parks and Recreation Department

PREPARED BY: Tim Walker

REVIEWED BY: Susan Jordan, Robin LaMonte

DATE: May 29, 2007

2007-2009

2009-2011

EXPENDITURES:

See Comments

EFFECTIVE DATE: January 1, 2008

GOVERNOR'S BUDGET: This bill is anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: The bill would require anyone under the age of sixteen operating a Class I (quad) or Class III (motorcycle) all-terrain vehicles on public lands to take safety classes and examinations for operator permits for Class I and Class III all-terrain vehicles; requires operators of Class I and Class II all-terrain vehicles under the age of 18 to wear a motorcycle helmet with a fastened chin strap; and phases-in requirement for operating permits based upon the age of the operator. This bill also establishes the offense of endangering a Class I all-terrain vehicle (ATV) operator as a Class C traffic violation and provides exemptions for farming, agriculture, forestry, nursery, and Christmas tree growing operations.

This bill requires the Oregon Parks and Recreation Department (OPRD) to develop a curriculum, testing methodology and ongoing program support for an ATV safety program. Funding for this program would come from the ATV funds that are a percentage of the gasoline taxes set aside to support such initiatives. The ATV program of OPRD currently has responsibility to communicate information regarding off-highway vehicle riding opportunities, laws and rules, provide grant funding for off-highway vehicle projects that include land acquisition, development, maintenance and operations, law enforcement, emergency medical services, and safety training. OPRD currently requires operator permits for Class III operators between the ages of 7 and 17, offers training courses for ATV operation, and issues permits for Class I, II, and III ATVs. OPRD has indicated their intent to provide these services regardless whether or not this bill is enacted. OPRD has sufficient funds within the ATV fund to provide these services, and in the opinion of the Legislative Fiscal Office, additional fees are not necessary. If OPRD needs additional limitation due to the requirements of this bill, they are instructed to come back to the Legislature to request and justify this increased limitation.

This bill is not anticipated to have a substantive fiscal impact on the Oregon Judicial Department or Oregon Department of Transportation.