

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 6 - 2 - 2

Yeas: Bentz, Berger, Boone, Kahl, Schaufler, Beyer

Nays: Gilman, Weidner

Exc.: Bailey, Edwards D.

Prepared By: Patrick Brennan, Administrator

Meeting Dates: 5/11, 5/27

WHAT THE MEASURE DOES: Requires parent or legal guardian of children under age 16 to ensure that child is secured with safety belt or safety harness when operating or riding on a Class I or Class II all-terrain vehicle while on premises open to the public.

ISSUES DISCUSSED:

- Statistics on accidents involving children on all-terrain vehicles
- Differences between Class I and Class II all-terrain vehicles and between types of Class II vehicles
- Types of and proper use of safety harnesses and child safety systems
- Concern about false sense of security provided by safety harnesses

EFFECT OF COMMITTEE AMENDMENT: Revises language related to use of safety belts and safety harnesses and deletes reference to use of child safety systems.

BACKGROUND: ORS 801.400 defines “premises open to the public” as any premises open to the general public for the use of motor vehicles, whether publicly or privately owned and regardless of whether a fee is charged for use of the premises. The definition includes forest roads, state parks, beaches and dunes.

Class I all-terrain vehicles are those with three or more wheels, weighing 800 pounds or less, and designed for off-road travel (ORS 801.190). Class II all-terrain vehicles are any motor vehicle weighing in excess of 800 pounds and is designed for, capable of, and actually being operated off a highway over land, water, sand, snow, ice, marsh, swampland, or other natural terrain (ORS 801.193). Class III all-terrain vehicles are off-road motorcycles.

Administrative rules for the Oregon Department of Transportation require off-road vehicles to be equipped with seat belts (OAR 735-116-0000).

Current law designates failure to properly use a seat belt and/or child safety system as a Class D traffic violation, punishable by a maximum fine of \$90.