

# House Bill 2492

Sponsored by Representative GALIZIO; Representative STIEGLER (at the request of Chuck Fessler, King City Police Chief)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Permits road authority to allow golf carts or substantially similar vehicles to operate on highways under jurisdiction of road authority. Eliminates certain restrictions on where person may operate golf cart or substantially similar vehicle.

Restricts use of golf cart or substantially similar vehicle to highways with designated speed of 25 miles per hour or less.

Restricts time of day person may operate golf cart or substantially similar vehicle on highway.

Requires owner of golf cart or substantially similar vehicle operated within jurisdiction of road authority to display decal with identifying number issued by road authority.

Requires golf carts or substantially similar vehicles to display slow-moving vehicle emblems when operated on any highway.

Expands offense of operation of low-speed vehicle in prohibited area to include any person who operates golf cart or substantially similar vehicle on any highway with designated speed of greater than 25 miles per hour.

## A BILL FOR AN ACT

1  
2 Relating to vehicles; creating new provisions; and amending ORS 803.030, 807.020, 810.070, 815.110,  
3 820.210 and 820.220.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 810.070 is amended to read:

6 810.070. A road authority, on any of its own highways [*that are located adjacent to a golf*  
7 *course*], may permit the operation of golf carts **or substantially similar vehicles** [*between the golf*  
8 *course and the place where golf carts are parked or stored or located within or bounded by a real es-*  
9 *tate development*]. All of the following apply to the authority granted under this section:

10 (1) Exercise of the authority granted under this section must be by means of an ordinance.

11 (2) The authority granted under this section may only be exercised where the combined opera-  
12 tion of golf carts **or substantially similar vehicles** and regular vehicle traffic can be accomplished  
13 safely.

14 (3) A road authority shall prescribe rules and shall regulate the combined operation of golf carts  
15 **or substantially similar vehicles** and **other** vehicles when permitted under this section. The rules  
16 [*may establish speed limits and other operating standards but shall not require that golf carts*]:

17 (a) **May establish speed limits and other operating standards;**

18 (b) **May not require that golf carts or substantially similar vehicles** conform with the ve-  
19 hicle equipment laws under the vehicle code;

20 (c) **May not allow a person to operate a golf cart or substantially similar vehicle on a**  
21 **highway with designated speed greater than 25 miles per hour;**

22 (d) **May not allow a person to operate a golf cart or substantially similar vehicle except**  
23 **during the period beginning 30 minutes before sunrise and ending 30 minutes after sunset;**  
24 **and**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1       **(e) Must require the owner of a golf cart or substantially similar vehicle to affix to the**  
 2 **golf cart or vehicle a decal with an identification number issued by the road authority.**

3       (4) A designation of combined operation under this section or rules instituted under this section  
 4 are effective when appropriate signs giving notice thereof are posted along the affected highway and  
 5 are not effective before such posting.

6       (5) If a designation is made under this section to permit combined operation, the golf carts **or**  
 7 **substantially similar vehicles** operated in accordance with the designation and rules adopted by  
 8 the road authority [*qualifies*] **qualify** for the exemptions under ORS 820.210.

9       [(6) *This section only applies to real estate developments that have single or multiple family resi-*  
 10 *dences whose owners or occupants are eligible for membership in or the use of one or more golf courses*  
 11 *within the development by virtue of ownership or occupancy of a residential dwelling unit in the de-*  
 12 *velopment.*]

13       [(7)] **(6)** This section neither grants authority to nor limits the authority of the Department of  
 14 Transportation.

15       **SECTION 2.** ORS 807.020 is amended to read:

16       807.020. A person who is granted a driving privilege by this section may exercise the driving  
 17 privilege described without violation of the requirements under ORS 807.010. A grant of driving  
 18 privileges to operate a motor vehicle under this section is subject to suspension and revocation the  
 19 same as other driving privileges granted under the vehicle code. This section is in addition to any  
 20 exemptions from the vehicle code under ORS 801.026. The following persons are granted the de-  
 21 scribed driving privileges:

22       (1) A person who is not a resident of this state or who has been a resident of this state for less  
 23 than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person  
 24 holds a current out-of-state license issued to the person. For the purpose of this subsection, a person  
 25 is a resident of this state if the person meets the residency requirements described in ORS 807.062.  
 26 To qualify under this subsection, the person must have the out-of-state license or driver permit in  
 27 the person's possession. A person is not granted driving privileges under this subsection:

28       (a) If the person is under the minimum age required to be eligible for driving privileges under  
 29 ORS 807.060;

30       (b) During a period of suspension or revocation by this state or any other jurisdiction of driving  
 31 privileges or of the right to apply for a license or driver permit issued by this state or any other  
 32 jurisdiction; or

33       (c) That exceed the driving privileges granted to the person by the out-of-state license or driver  
 34 permit.

35       (2) A person in the Armed Forces of the United States may operate a motor vehicle without an  
 36 Oregon license or driver permit if the person:

37       (a) Has a current out-of-state license or driver permit issued by the Armed Forces; and

38       (b) Is operating an official motor vehicle in the course of the person's duties in the Armed  
 39 Forces.

40       (3) A person without a license or driver permit may operate a road roller or road machinery  
 41 that is not required to be registered under the laws of this state.

42       (4) A person without a license or driver permit may temporarily operate, draw, move or propel  
 43 a farm tractor or implement of husbandry.

44       (5) A person without a license or driver permit may operate a motor vehicle to demonstrate  
 45 driving ability during the course of an examination administered under ORS 807.070 for the purpose

1 of qualifying for a license or driver permit. This subsection only applies when an authorized exam-  
 2 iner is in a seat beside the driver of the motor vehicle.

3 (6) Driving privileges for snowmobiles are exclusively as provided in ORS 821.150.

4 (7) Driving privileges for Class I all-terrain vehicles are exclusively as provided in ORS 821.170.

5 (8) Driving privileges for Class III all-terrain vehicles are exclusively as provided in ORS  
 6 821.172.

7 (9) A person without a license or driver permit may operate a golf cart **or substantially similar**  
 8 **vehicle** in accordance with an ordinance adopted under ORS 810.070.

9 (10) The spouse of a member of the Armed Forces of the United States on active duty who is  
 10 accompanying the member on assignment in this state may operate a motor vehicle if the spouse  
 11 has a current out-of-state license or driver permit issued to the spouse by another state in the  
 12 spouse's possession.

13 (11) A person who is a member of the Armed Forces of the United States on active duty may  
 14 operate a motor vehicle if the person has a current out-of-state license or driver permit in the per-  
 15 son's possession that is issued to the person by the person's state of domicile or by the Armed  
 16 Forces of the United States in a foreign country. Driving privileges described under this subsection  
 17 that are granted by the Armed Forces apply only for a period of 45 days from the time the person  
 18 returns to the United States.

19 (12) A person who does not hold a motorcycle endorsement may operate a motorcycle if the  
 20 person is:

21 (a) Within an enclosed cab; or

22 (b) Operating a vehicle designed to travel with three wheels in contact with the ground at  
 23 speeds of less than 15 miles per hour.

24 (13) A person may operate a bicycle that is not an electric assisted bicycle without any grant  
 25 of driving privileges.

26 (14) A person may operate an electric assisted bicycle without a driver license or driver permit  
 27 if the person is 16 years of age or older.

28 (15) A person may operate a motor assisted scooter without a driver license or driver permit if  
 29 the person is 16 years of age or older.

30 (16) A person who is not a resident of this state or who has been a resident of this state for less  
 31 than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person  
 32 is at least 15 years of age and has in the person's possession a current out-of-state equivalent of a  
 33 Class C instruction driver permit issued to the person. For the purpose of this subsection, a person  
 34 is a resident of this state if the person meets the residency requirements described in ORS 807.062.  
 35 A person operating a motor vehicle under authority of this subsection has the same privileges and  
 36 is subject to the same restrictions as a person operating under the authority of a Class C instruction  
 37 driver permit issued as provided in ORS 807.280.

38 (17) A person may operate an electric personal assistive mobility device without any grant of  
 39 driving privileges if the person is 16 years of age or older.

40 **SECTION 3.** ORS 803.030 is amended to read:

41 803.030. This section establishes exemptions from the requirements under ORS 803.025 to obtain  
 42 title issued by this state. The exemptions are subject to ORS 803.040. The exemptions are in addition  
 43 to any exemptions under ORS 801.026. Vehicles exempted by this section from the requirements to  
 44 be titled by this state are not prohibited from being titled by this state if titling is permitted under  
 45 ORS 803.035. The exemptions are partial or complete as provided in the following:

- 1 (1) Title from this state is not required for a vehicle unless the vehicle is operated on a highway  
 2 in this state.
- 3 (2) Title from this state is not required unless a vehicle is operated under a registration number  
 4 of this state.
- 5 (3) Snowmobiles, Class I all-terrain vehicles and Class III all-terrain vehicles are not subject to  
 6 the requirements under ORS 803.025. The requirements and procedures for titling snowmobiles are  
 7 as provided under ORS 821.060 and 821.070.
- 8 (4) Road rollers, farm tractors and traction engines are exempt from the requirements for title.
- 9 (5) Trolleys are exempt from the requirements for title.
- 10 (6) Bicycles are exempt from the requirements for title.
- 11 (7) United States Government owned and operated motor vehicles and trailers are exempt from  
 12 the requirements for title.
- 13 (8) Implements of husbandry, well drilling machinery, emergency fire apparatus providing public  
 14 fire protection and wheelchairs are exempt from the requirements for title.
- 15 (9) Fixed load vehicles are exempt from the requirements for title while operated within the  
 16 immediate construction project, as described in the governmental agency contract, in the con-  
 17 struction or reconstruction of state or county roads, highways or city streets.
- 18 (10) Motor vehicles designed to operate at a loaded weight over 8,000 pounds, trailers and  
 19 equipment are exempt from requirements for title while:
- 20 (a) Owned, leased, contracted or requisitioned by the State Forester, State Board of Forestry,  
 21 their contractors under ORS chapter 477, or the federal government; and
- 22 (b) Being used for the purposes of forest protection and fire suppression under ORS chapter 477  
 23 or a similar federal statute, including movement of the vehicles to and from the work area.
- 24 (11) Farm trailers are exempt from requirements for title when the operation or movement of  
 25 the vehicle upon the highways is incidental to its use in an agricultural operation.
- 26 (12) Golf carts **and substantially similar vehicles** operated under an ordinance adopted under  
 27 ORS 810.070 are exempt from requirements for title.
- 28 (13) Golf carts or similar vehicles are exempt from requirements for title when:
- 29 (a) They have not less than three wheels in contact with the ground;
- 30 (b) They have an unloaded weight of less than 1,300 pounds;
- 31 (c) They are designed to be and are operated at not more than 15 miles per hour; and
- 32 (d) They are operated by persons with disabilities.
- 33 (14) The nonresident owners of vehicles currently registered and titled in any other country,  
 34 state or territory may operate such vehicles over the highways of this state without complying with  
 35 the titling requirements under ORS 803.025. All of the following apply to this subsection:
- 36 (a) This subsection only provides an exemption so long as the owner satisfactorily shows that  
 37 the owner is not a resident of this state or has been a resident of this state for less than 30 days.  
 38 For the purpose of this paragraph, a person is a resident of this state if the person meets the resi-  
 39 dency requirements described in ORS 803.200.
- 40 (b) The exemption under this subsection applies to vehicles granted exemptions under ORS  
 41 802.500, 802.520 or 826.005, unless otherwise provided under paragraph (c) of this subsection.
- 42 (c) Except as otherwise provided in this paragraph, a vehicle operated over the highways of this  
 43 state for compensation or profit must comply with the titling requirements under ORS 803.025 in the  
 44 same manner as required of nontitled vehicles. The following vehicles are not subject to this para-  
 45 graph:

1 (A) Vehicles operated under reciprocal registration exemptions established under ORS 802.500  
2 or 826.005.

3 (B) Vehicles operated under an exemption established under ORS 802.520.

4 (C) Vehicles that are proportionally registered under an agreement established under ORS  
5 826.007, and according to the procedures established under ORS 826.009 or 826.011.

6 (D) Any vehicle if duly registered and titled under the laws of the state or country of which the  
7 owner is a bona fide resident to the extent that in the foreign country, state, territory or federal  
8 district where the owner resides like exemptions and privileges are granted vehicles duly registered  
9 and titled under the laws of this state and owned by residents of this state.

10 (d) If no exemptions from titling requirements are in effect under ORS 802.500, 802.520, 826.005  
11 or 826.007 with respect to another jurisdiction, any vehicle properly registered and titled in such  
12 other jurisdiction and for which evidence of compliance is supplied shall receive, when operated in  
13 this state, the same exemptions, benefits and privileges granted by such other jurisdictions to vehi-  
14 cles properly registered and titled in this state. Reciprocity extended under this paragraph shall  
15 apply to commercial vehicles only when engaged exclusively in interstate commerce.

16 (e) Any vehicle operated under dealer registration plates issued by another state, country,  
17 province, territory or the District of Columbia is subject to this subsection.

18 (15) Vehicle dealers issued certificates under ORS 822.020 may use and operate untitled vehicles  
19 as provided under ORS 822.040.

20 (16) Towing businesses issued certificates under ORS 822.205 may tow untitled vehicles as pro-  
21 vided under ORS 822.210.

22 (17) Vehicle transporters issued certificates under ORS 822.310 may transport untitled vehicles  
23 as provided in ORS 822.310.

24 (18) Untitled vehicles may be operated under trip permits described under ORS 803.600 or under  
25 permits described under ORS 803.610 to 803.625.

26 (19) Vehicles that are registered by the United States Department of State and that are owned  
27 or operated by foreign nationals with diplomatic immunity are exempt from the requirements for  
28 title.

29 (20)(a) Vehicles that are registered under the proportional registration provisions of ORS chap-  
30 ter 826 and are titled in a jurisdiction other than Oregon are exempt from the requirements for title.

31 (b) A trailer that is registered under the proportional registration provisions of ORS chapter 826  
32 and titled in a jurisdiction other than Oregon shall remain exempt from the requirements for title  
33 in Oregon if the trailer is registered when the other jurisdiction removes its exception to propor-  
34 tional registration requirements for the trailer.

35 (21) Converter dollies and tow dollies are exempt from the requirements for title.

36 (22) Electric personal assistive mobility devices are exempt from the requirements for title.

37 **SECTION 4.** ORS 815.110 is amended to read:

38 815.110. This section establishes requirements for ORS 815.115. The requirements under this  
39 section are in addition to any other requirements for lighting equipment provided by law. Except  
40 as specifically provided by an exemption under ORS 815.120, a person violates ORS 815.115 if the  
41 person does not comply with any of the following requirements:

42 (1) The following types of vehicles must display slow-moving vehicle emblems described under  
43 ORS 815.060:

44 (a) Vehicles or combinations of vehicles designed for customary use at speeds of less than 25  
45 miles per hour.

1 (b) Golf carts or **substantially** similar vehicles [*when operated by a person with a disability*].

2 (c) Class I all-terrain vehicles and Class II all-terrain vehicles operated on a highway under ORS  
3 821.191 (1).

4 (2) Slow-moving vehicle emblems must meet the requirements for such emblems established by  
5 the Department of Transportation by rule under ORS 815.060.

6 (3) Slow-moving vehicle emblems shall be displayed on the rear of the power unit. When a  
7 combination of vehicles is being operated in a manner that obscures the emblem mounted on the  
8 power unit, an additional emblem shall be displayed on the rear of the rearmost vehicle in the  
9 combination.

10 **SECTION 5.** ORS 820.210 is amended to read:

11 820.210. (1) Golf carts **and substantially similar vehicles** operated in accordance with an or-  
12 dinance adopted under ORS 810.070 are exempt from registration requirements under the vehicle  
13 code.

14 (2) Golf carts or substantially similar vehicles that are operated by persons with disabilities at  
15 not more than 15 miles an hour are exempt from registration requirements under the vehicle code.

16 (3) Notwithstanding any provision of the vehicle code relating to vehicle equipment and condi-  
17 tion, upon designation of a portion of a highway becoming effective under an ordinance adopted  
18 under ORS 810.070, it shall be lawful to drive golf carts **or substantially similar vehicles** on  
19 highways or portions thereof so designated in accordance with the rules and regulations prescribed  
20 by the local authority.

21 **SECTION 6.** ORS 820.220 is amended to read:

22 820.220. (1) A person commits the offense of operation of a low-speed vehicle in a prohibited area  
23 if the person [*is a person with a disability and the person*] operates a golf cart or substantially sim-  
24 ilar [*motor*] vehicle on any highway with a speed designation greater than 25 miles per hour.

25 (2) The offense described in this section, operation of low-speed vehicle in prohibited area, is a  
26 Class D traffic violation.

27 **SECTION 7.** (1) **The amendments to ORS 803.030, 807.020, 810.070 and 820.210 by sections**  
28 **1 to 3 and 5 of this 2009 Act apply to ordinances enacted on or after the effective date of this**  
29 **2009 Act.**

30 (2) **The amendments to ORS 820.220 by section 6 of this 2009 Act apply to violations of**  
31 **ORS 820.220 that occur on or after the effective date of this 2009 Act.**

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