

House Bill 3438

Sponsored by Representative WINGARD

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 person to operate motorcycle without motorcycle helmet if person has increased motor vehicle liability coverage for personal injury.

A BILL FOR AN ACT

1
2 Relating to motorcycles; amending ORS 806.070 and 814.290.

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

4 **SECTION 1.** ORS 814.290 is amended to read:

5 814.290. (1) *[This section establishes exemptions from the requirements and penalties relating to the*
6 *use of motorcycle helmets under ORS 814.260 to 814.280.]* A person is not in violation of ORS 814.260,
7 *[814.269,]* 814.275 or 814.280 if the person is any of the following:

8 [(1)] (a) Within an enclosed cab.

9 [(2)] (b) Operating or riding a vehicle designed to travel with three wheels in contact with the
10 ground at speeds of less than 15 miles per hour.

11 **(2) A person is not in violation of ORS 814.269 if the person:**

12 **(a) Has a motor vehicle liability insurance policy that meets the requirements of ORS**
13 **806.070 (3);**

14 **(b) Is within an enclosed cab; or**

15 **(c) Is operating or riding a vehicle designed to travel with three wheels in contact with**
16 **the ground at speeds of less than 15 miles per hour.**

17 **SECTION 2.** ORS 806.070 is amended to read:

18 806.070. (1) This section establishes a schedule of payments for the following purposes:

19 (a) An insurance policy described under ORS 806.080 must provide for payment of at least
20 amounts necessary to cover the minimum required payments under *[this]* **subsection (2) of this**
21 **section to qualify for use for financial responsibility under ORS 806.060.**

22 (b) A person who is self-insured under ORS 806.130 must agree to pay according to the payment
23 schedule established by *[this section]* **subsection (2) of this section.**

24 **(c) A person who operates a motorcycle and who wants to qualify for the exemption from**
25 **wearing a motorcycle helmet under ORS 814.290 must agree to pay according to the payment**
26 **schedule established by subsection (3) of this section.**

27 [(c)] (d) The payment schedule is the minimum required payment of a judgment for purposes of
28 ORS 809.020, 809.130 and 809.415.

29 (2) The schedule of payments is as follows:

30 (a) \$25,000 because of bodily injury to or death of one person in any one accident;

31 (b) Subject to that limit for one person, \$50,000 because of bodily injury to or death of two or

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 more persons in any one accident; and

2 (c) \$10,000 because of injury to or destruction of the property of others in any one accident.

3 **(3) For a person who operates a motorcycle and who wants to qualify for the exemption**
4 **from wearing a motorcycle helmet under ORS 814.290, the schedule of payments is as follows:**

5 **(a) \$1 million because of bodily injury to or death of one person in any one accident;**

6 **(b) Subject to that limit for one person, \$1.5 million because of bodily injury to or death**
7 **of two or more persons in any one accident; and**

8 **(c) \$10,000 because of injury to or destruction of the property of others in any one acci-**
9 **dent.**

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