

# Senate Bill 583

Sponsored by Senator METSGER; Senator DEVLIN

## 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**.

Requires operators and passengers of Class II all-terrain vehicles to wear motorcycle helmets if under 18 years of age. Provides exceptions.

## A BILL FOR AN ACT

Relating to all-terrain vehicle helmet requirements; amending ORS 821.202 and 821.203.

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

**SECTION 1.** ORS 821.202 is amended to read:

821.202. (1) A person commits the offense of failure of a Class I, **Class II** or Class III all-terrain vehicle operator or passenger to wear a motorcycle helmet if the person is under 18 years of age, operates or rides on a Class I, **Class II** or Class III all-terrain vehicle on premises open to the public and is not wearing a motorcycle helmet with a fastened chin strap.

(2) The requirement to wear a motorcycle helmet with a fastened chin strap does not apply if the all-terrain vehicle is:

(a) Used exclusively in farming, agricultural or forestry operations or used by persons licensed under ORS chapter 571 exclusively for nursery or Christmas tree growing operations.

(b) Being used on land owned or leased by the owner of the vehicle.

**(c) A Class II all-terrain vehicle registered under ORS 803.420 and has a roof or roll bar.**

(3) The offense described in this section, failure of a Class I, **Class II** or Class III all-terrain vehicle operator or passenger to wear a motorcycle helmet, is a Class D traffic violation.

**SECTION 2.** ORS 821.203 is amended to read:

821.203. (1) A person commits the offense of endangering a Class I, **Class II** or Class III all-terrain vehicle operator or passenger if:

(a) The person is operating a Class I, **Class II** or Class III all-terrain vehicle on premises open to the public and the person carries another person on the Class I, **Class II** or Class III all-terrain vehicle who is under 18 years of age and is not wearing a motorcycle helmet with a fastened chin strap; or

(b) The person is the parent, legal guardian or person with legal responsibility for the safety and welfare of a child under 18 years of age and the child operates or rides on a Class I, **Class II** or Class III all-terrain vehicle on premises open to the public without wearing a motorcycle helmet with a fastened chin strap.

(2) The requirement to wear a motorcycle helmet with a fastened chin strap does not apply if the all-terrain vehicle is:

(a) Used exclusively in farming, agricultural or forestry operations or used by persons licensed under ORS chapter 571 exclusively for nursery or Christmas tree growing operations.

**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 (b) Being used on land owned or leased by the owner of the vehicle.

2 (c) **A Class II all-terrain vehicle registered under ORS 803.420 and has a roof or roll bar.**

3 (3) The offense described in this section, endangering a Class I, **Class II** or Class III all-terrain  
4 vehicle operator or passenger, is a Class D traffic violation.

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