

House Bill 2109

Sponsored by Representative MATTHEWS (at the request of former Representative Jean Cowan) (Presession filed.)

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 antique vehicle or vehicle of special interest within 150-mile radius of person's home during daylight hours.

A BILL FOR AN ACT

Relating to motor vehicles; creating new provisions; and amending ORS 468A.350, 805.030, 805.210, 806.020, 811.525, 815.075, 815.105, 815.120, 815.175, 815.190, 815.205, 815.210, 815.215, 815.230, 815.250, 815.255, 815.295, 815.300, 816.310, 816.340 and 816.370.

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

PERMITTED USES OF ANTIQUE VEHICLE OR VEHICLE OF SPECIAL INTEREST

SECTION 1. ORS 805.030 is amended to read:

805.030. (1) A person commits the offense of violation of registration limits on antique vehicle or vehicle of special interest if a vehicle is permanently registered under ORS 805.010 or 805.020 and the person uses the vehicle[:] **other than for exhibitions, parades, club activities and similar uses.**

[(a) Other than for exhibitions, parades, club activities and similar uses; or]

[(b) Primarily for the transportation of persons or property.]

(2) A person does not commit the offense of violation of registration limits on antique vehicle or vehicle of special interest if the person uses an antique vehicle or vehicle of special interest within a 150-mile radius of the person's home during daylight hours.

[(2)] **(3)** The offense described in this section, violation of registration limits on antique vehicle or vehicle of special interest, is a Class D traffic violation.

CONFORMING AMENDMENTS

SECTION 2. ORS 468A.350 is amended to read:

468A.350. As used in ORS 468A.350 to 468A.400:

(1) "Certified system" means a motor vehicle pollution control system for which a certificate of approval has been issued under ORS 468A.365 (3).

(2) "Factory-installed system" means a motor vehicle pollution control system installed by the manufacturer which meets criteria for emission of pollutants in effect under federal laws and regulations applicable on September 9, 1971, or which meets criteria adopted pursuant to ORS 468A.365

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 (1), whichever criteria are stricter.

2 (3) "Motor vehicle" includes any self-propelled vehicle used for transporting persons or com-
 3 modities on public roads and highways but does not include a vehicle of special interest as [*that term*
 4 *is*] defined in ORS 801.605, if the vehicle is **used as permitted under ORS 805.030** [*maintained as*
 5 *a collector's item and used for exhibitions, parades, club activities and similar uses but not used pri-*
 6 *marily for the transportation of persons or property*], or a racing activity vehicle as defined in ORS
 7 801.404.

8 (4) "Motor vehicle pollution control system" means equipment designed for installation on a
 9 motor vehicle for the purpose of reducing the pollutants emitted from the vehicle, or a system or
 10 engine adjustment or modification which causes a reduction of pollutants emitted from the vehicle.

11 **SECTION 3.** ORS 805.210 is amended to read:

12 805.210. (1) The owner of a vehicle of special interest may apply to the Department of Trans-
 13 portation for permission to use special interest registration plates. To receive permission to use
 14 special interest registration plates the person must:

15 (a) **Use the vehicle only as permitted under ORS 805.030** [*Maintain the vehicle of special in-*
 16 *terest as a collectors' item and use the vehicle only for exhibitions, parades, club activities and similar*
 17 *uses but not use the vehicle primarily for the transportation of persons or property*];

18 (b) Supply the special interest registration plates which the person desires to use; and

19 (c) Include the plates with the application for permission to use them.

20 (2) The department, prior to approval of an application under this section, shall determine that
 21 the special interest registration plates meet the following requirements:

22 (a) The plates shall be issued by the State of Oregon for use on vehicles in this state.

23 (b) The numbers and characters on the plate shall be distinctive.

24 (c) The plates shall be legible, durable and otherwise of a size, shape, color and design that will
 25 serve the purposes of safety and identification.

26 (d) If the plates are from a series of plates in current use, the plates shall be from the same year
 27 or period of issue in which the vehicle was manufactured.

28 (3) If the special interest registration plate offered for approval was issued in a year in which
 29 single registration plates only were required, the department shall grant permission for use of that
 30 registration plate alone if it is otherwise acceptable.

31 (4) If the special interest registration plates offered for approval are from a series of plates in
 32 current use, as described in subsection (2)(d) of this section, the department may affix a distinctive
 33 sticker to each plate at the time of approval. Stickers shall be of a size, color and design determined
 34 by the department and shall be displayed on plates in the manner determined by the department.

35 (5) The department may approve plates issued by the state that have been restored to their or-
 36 iginal color and design provided that if the plate was reflectorized when originally issued, it must
 37 be fully reflectorized when restored.

38 **SECTION 4.** ORS 806.020 is amended to read:

39 806.020. This section provides exemptions from the necessity for compliance with or proof of
 40 compliance with financial responsibility requirements in accident reports under ORS 811.725, when
 41 applying for vehicle registration under ORS 803.370 or 803.460 and for operating a vehicle under
 42 ORS 806.010. The owner or operator of a vehicle is exempt, as provided by this section, from finan-
 43 cial responsibility requirements if the vehicle involved in the accident, sought to be registered or
 44 operated is any of the following:

45 (1) An antique [*motor*] vehicle issued permanent registration under ORS 805.010.

1 (2) A farm trailer.

2 (3) A farm tractor.

3 (4) An implement of husbandry.

4 (5) A [motor] vehicle of special interest that is **used as permitted under ORS 805.030** [main-
5 *tained as a collector's item and used for exhibitions, parades, club activities and similar uses, but not*
6 *used primarily for the transportation of persons or property*].

7 (6) A snowmobile or a Class I, Class III or Class IV all-terrain vehicle.

8 (7) Any motor vehicle not operated on any highway or premises open to the public in this state.

9 (8) A motor assisted scooter.

10 (9) An electric personal assistive mobility device.

11 **SECTION 5.** ORS 811.525 is amended to read:

12 811.525. This section establishes exemptions from ORS 811.515 and 811.520. The exemptions un-
13 der this section are in addition to any exemptions under ORS 801.026. The exemptions established
14 under this section are partial or complete as described in the following:

15 (1) ORS 811.515 and 811.520 [shall not be construed to] **do not** prohibit the use of additional parts
16 and accessories on any vehicle not inconsistent with the provisions of those sections.

17 (2) Except for the provisions relating to exempt-vehicle safety lighting equipment, ORS 811.515
18 and 811.520 do not apply to any of the following:

19 (a) Road machinery.

20 (b) Road rollers.

21 (c) Farm tractors.

22 (d) Antique [motor] vehicles that are **used as permitted under ORS 805.030** [maintained as a
23 *collector's item and used for exhibitions, parades, club activities and similar uses, but not used pri-*
24 *marily for the transportation of persons or property*].

25 (3) Whenever motor and other vehicles are operated in combination during the time that lights
26 are required, any lighting equipment, except the taillight, which by reason of its location on a ve-
27 hicle of the combination would be obscured by another vehicle of the combination, need not be
28 lighted. This subsection [shall] **does** not affect the requirement that lighted clearance lights be dis-
29 played on the front of the foremost vehicle required to have clearance lights nor the requirement
30 that all lights on the rear of the rearmost vehicle of the combination be lighted.

31 (4) Lighting equipment on bicycles shall be lighted as required under ORS 815.280.

32 (5) Parked or stopped vehicles are not required to display parking lights if the road authority
33 for the highway provides by ordinance or resolution that no lights need be displayed upon a vehicle
34 parked on the highway in accordance with legal parking regulations where there is sufficient light
35 to render clearly discernible any person or object within a distance of 500 feet from the highway.

36 (6) Nothing under ORS 811.515 and 811.520 limits the ability to use the following lights with any
37 other lights during the day or at night:

38 (a) Public vehicle warning lights.

39 (b) Pilot vehicle warning lights.

40 (c) Tow vehicle warning lights.

41 (d) Police lights.

42 (e) Warning lights on vehicles at the scene of an actual or potential release of hazardous ma-
43 terials, as described in ORS 816.280.

44 (f) Warning lights on vehicles being used by medical examiners to reach the scene of an accident
45 or of a death investigation, as described in ORS 816.280.

1 (g) Commercial vehicle warning lights.

2 (7) Requirements for use of motorcycle and moped headlights are under ORS 814.320.

3 (8) Requirements for lighting equipment for an electric personal assistive mobility device are
4 under ORS 815.284.

5 **SECTION 6.** ORS 815.075 is amended to read:

6 815.075. (1) A person commits the offense of selling vehicles or equipment that violates state
7 equipment administrative rules if the person sells or offers for sale any vehicle or sells or offers for
8 sale for use upon a vehicle or uses on any vehicle any equipment if the vehicle or equipment:

9 (a) Does not conform to standards established by the Department of Transportation by rule un-
10 der ORS 815.030; and

11 (b) Does not bear thereon proof of certification that it complies with the applicable standards.

12 (2) Proof of certification required under this section may be made in any manner provided under
13 ORS 815.030.

14 (3) This section is subject to the following exemptions in addition to any exemptions under ORS
15 801.026:

16 (a) Vehicles of special interest that are registered under ORS 805.020 are deemed to comply with
17 this section if:

18 (A) The vehicles are equipped with original manufacturer's equipment and accessories, or their
19 equivalent, and are maintained in safe operating order; or

20 (B) The vehicles are street rods that conform to ORS 815.107.

21 (b) Road machinery, road rollers, implements of husbandry, farm trailers and farm tractors are
22 not subject to this section.

23 (c) Antique vehicles are not subject to this section if the vehicles are **used as permitted under**
24 **ORS 805.030** [*maintained as collectors' items and used for exhibitions, parades, club activities and*
25 *similar uses, but not used primarily for the transportation of persons or property*].

26 (d) Racing activity vehicles are not subject to this section.

27 (4) The offense described under this section, selling vehicles or equipment that violates state
28 equipment administrative rules, is a Class D traffic violation.

29 **SECTION 7.** ORS 815.105 is amended to read:

30 815.105. This section establishes exemptions from ORS 815.030 and 815.100. Exemptions under
31 this section are in addition to any exemptions under ORS 801.026. Exemptions under this section are
32 partial or complete as described in the following:

33 (1) Vehicles of special interest that are registered under ORS 805.020 are deemed to comply with
34 ORS 815.030 and 815.100 if:

35 (a) The vehicles are equipped with original manufacturer's equipment and accessories, or their
36 equivalent, and are maintained in safe operating condition; or

37 (b) The vehicles are street rods that conform to ORS 815.107.

38 (2) Road machinery, road rollers, implements of husbandry, farm trailers and farm tractors are
39 exempt from ORS 815.030 and 815.100.

40 (3) Antique vehicles are exempt from ORS 815.030 and 815.100 if the vehicles are **used as per-**
41 **mitted under ORS 805.030** [*maintained as collectors' items and used for exhibitions, parades, club*
42 *activities and similar uses, but not used primarily for the transportation of persons or property*].

43 (4) Motorized wheelchairs are exempt from ORS 815.030 and 815.100 when used as permitted
44 under ORS 811.440.

45 (5) Racing activity vehicles are exempt from ORS 815.030 and 815.100.

SECTION 8. ORS 815.120 is amended to read:

815.120. This section establishes exemptions from the requirements of ORS 815.110 and 815.115. The exemptions under this section are in addition to any exemptions under ORS 801.026. The exemptions under this section are partial or complete as described in the following:

(1) Vehicles of special interest that are registered under ORS 805.020 are deemed to comply with the requirements if:

(a) The vehicles are equipped with original manufacturer's equipment and accessories, or their equivalent, and are maintained in safe operating condition; or

(b) The vehicles are street rods that conform to ORS 815.107.

(2) Antique vehicles are not subject to the standards if the vehicles are **used as permitted under ORS 805.030** [*maintained as collectors' items and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property*].

(3) Road machinery, road rollers and farm tractors are not subject to the requirements except as provided in this subsection. Such vehicles or combinations thereof are subject to the requirements if the vehicles are designed for use at speeds less than 25 miles per hour, except when such vehicles are engaged in actual construction or maintenance work and guarded by a flagger or by clear visible warning signs.

SECTION 9. ORS 815.175 is amended to read:

815.175. This section establishes exemptions from ORS 815.170. The exemptions under this section are in addition to any exemptions under ORS 801.026. Exemptions are partial or complete as described in the following:

(1) Vehicles are not subject on any way, thoroughfare or place owned by a district formed under ORS chapters 545, 547, 551 or a corporation formed under ORS chapter 554.

(2) Vehicles are not subject on any road, thoroughfare or property in private ownership or any road or thoroughfare, other than a state highway or county road, used pursuant to any agreement with any agency of the United States or with a licensee of such agency or both.

(3) Operation authorized under the terms of a variance permit issued under ORS 818.200 is subject to the terms of the permit. It shall be a defense to any charge of violation of ORS 815.170 if the person so charged produces a variance permit issued under ORS 818.200 authorizing the operation of the vehicle or combination of vehicles issued prior to and valid at the time of the offense.

(4) ORS 815.170 does not apply to any implement of husbandry that is equipped with any tires made of elastic material other than pneumatic tires or with tires made with any nonelastic material that are not prohibited under ORS 815.160 and that has a loaded weight of not more than 7,000 pounds and a loaded weight as measured at any axle of not more than 3,500 pounds.

(5) Vehicles of special interest that are registered under ORS 805.020 are deemed in compliance if:

(a) The vehicles are equipped with original manufacturer's equipment and accessories, or their equivalent, and are maintained in safe operating condition; or

(b) The vehicles are street rods that conform to ORS 815.107.

(6) ORS 815.170 does not apply to road machinery, road rollers or farm tractors.

(7) ORS 815.170 does not apply to antique vehicles if the vehicles are **used as permitted under ORS 805.030** [*maintained as collectors' items and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property*].

SECTION 10. ORS 815.190 is amended to read:

815.190. This section establishes exemptions from ORS 815.182 and 815.185. The exemptions un-

1 der this section are in addition to any exemptions under ORS 801.026. The exemptions established
 2 under this section are partial or complete as described in the following:

3 (1) Vehicles of special interest that are registered under ORS 805.020 are deemed in compliance
 4 with the requirements and standards if:

5 (a) The vehicles are equipped with original manufacturer's equipment and accessories, or their
 6 equivalent, and maintained in safe operating condition; or

7 (b) The vehicles are street rods that conform to ORS 815.107.

8 (2) Road machinery, road rollers and farm tractors are exempt from the standards and require-
 9 ments.

10 (3) Antique [*motor*] vehicles are exempt from the standards and requirements if the vehicles are
 11 **used as permitted under ORS 805.030** [*maintained as collectors' items and used for exhibitions, pa-*
 12 *rades, club activities and similar uses, but not used primarily for the transportation of persons or*
 13 *property*].

14 (4) A motor truck is exempt from the requirements to be equipped with fenders or mudguards
 15 if the vehicle has just a chassis that is not equipped for hauling a load.

16 (5) Fenders or mudguards are not required on any modified American-made pre-1935 vehicle, or
 17 any identifiable vintage or replica thereof that is titled as a later assembled vehicle or replica and
 18 is used for show and pleasure use when such vehicle is used and driven only during fair weather
 19 on well-maintained, hard-surfaced roads.

20 **SECTION 11.** ORS 815.205 is amended to read:

21 815.205. This section establishes exemptions from ORS 815.195 and 815.200. The exemptions un-
 22 der this section are in addition to any exemptions under ORS 801.026. Exemptions under this section
 23 are partial or complete as described in the following:

24 (1) Motor vehicles registered as farm vehicles under ORS 805.300 are not subject to the limits
 25 on visible emissions.

26 (2) Vehicles of special interest and antique vehicles are not subject to the limits on visible
 27 emissions if the vehicles are **used as permitted under ORS 805.030** [*maintained as a collectors' item*
 28 *and used for exhibitions, parades, club activities and similar uses, but not used primarily for the*
 29 *transportation of persons or property*].

30 (3) The visible emission limits apply only in counties having a population over 50,000 according
 31 to the 1970 federal decennial census that are located west of the summit of the Cascade Mountains.
 32 The summit of the Cascade Mountains is determined for purposes of this subsection by the line be-
 33 ginning at the intersection of the northern boundary of the State of Oregon and the western
 34 boundary of Wasco County, thence southerly along the western boundaries of the counties of Wasco,
 35 Jefferson, Deschutes and Klamath to the southern boundary of the State of Oregon.

36 **SECTION 12.** ORS 815.210 is amended to read:

37 815.210. (1) A person commits the offense of operation of a vehicle without approved materials
 38 in windows if the person drives or moves on any highway or owns and causes or knowingly permits
 39 to be driven or moved on any highway a motor vehicle with a windshield or windows that do not
 40 conform to the standards established by the Department of Transportation under ORS 815.040.

41 (2) This section does not apply to the following vehicles:

42 (a) Any motor vehicle manufactured on or before January 1, 1954, and registered in this state.
 43 The exemption under this paragraph does not apply to windshields or windows that have been re-
 44 placed after January 1, 1954.

45 (b) Vehicles of special interest that are registered under ORS 805.020 and that are:

1 (A) Equipped with original manufacturer's equipment and accessories, or their equivalent, that
2 are maintained in safe operating condition; or

3 (B) Street rods that conform to ORS 815.107.

4 (c) Road machinery, road rollers or farm tractors.

5 (d) Antique vehicles that are **used as permitted under ORS 805.030** [*maintained as collectors'*
6 *items and used for exhibitions, parades, club activities and similar uses, but not used primarily for the*
7 *transportation of persons or property*].

8 (3) The vehicle exemptions under this section are also exemptions from the prohibitions under
9 ORS 815.090 against replacing vehicle window or windshield with any unapproved material as pro-
10 vided in that section.

11 (4) The offense described in this section, operation of a vehicle without approved materials in
12 windows, is a Class C traffic violation.

13 **SECTION 13.** ORS 815.215 is amended to read:

14 815.215. (1) A person commits the offense of failure to have windshield wipers if the person
15 drives or moves on any highway or owns and causes or knowingly permits to be driven or moved
16 on any highway a motor vehicle that has a windshield and that is not equipped with windshield
17 wipers that meet the requirements under this section.

18 (2) Windshield wipers meet the requirements of this section if the windshield wipers are de-
19 signed for cleaning rain or other moisture from the windshield and so constructed as to be con-
20 trolled or operated by the driver of the vehicle.

21 (3) This section does not apply to the following vehicles:

22 (a) Vehicles of special interest that are registered under ORS 805.020 and that are:

23 (A) Equipped with original manufacturer's equipment and accessories, or their equivalent, and
24 that are maintained in safe operating condition; or

25 (B) [*The vehicles are*] Street rods that conform to ORS 815.107.

26 (b) Road machinery, road rollers or farm tractors.

27 (c) Antique vehicles that are **used as permitted under ORS 805.030** [*maintained as collectors'*
28 *items and used for exhibitions, parades, club activities and similar uses, but not used primarily for the*
29 *transportation of persons or property*].

30 (d) Motorcycles.

31 (4) The offense described in this section, failure to have windshield wipers, is a Class C traffic
32 violation.

33 **SECTION 14.** ORS 815.230 is amended to read:

34 815.230. (1) A person commits the offense of violation of vehicle sound equipment requirements
35 if the person drives or moves on any highway or owns and causes or knowingly permits to be driven
36 on any highway any vehicle that violates any of the following equipment provisions:

37 (a) A motor vehicle must be equipped with a horn in good working order, capable of emitting
38 sounds audible under normal conditions from a distance of not less than 200 feet.

39 (b) No vehicle shall be equipped with any bell, siren, compression or exhaust whistle.

40 (2) This section is subject to the exemptions under this subsection in addition to any exemptions
41 under ORS 801.026. The exemptions under this subsection are partial or complete as described in the
42 following:

43 (a) Authorized emergency vehicles are subject to sound equipment requirements and limitations
44 as provided in ORS 820.370 and 820.380.

45 (b) Vehicles of special interest that are registered under ORS 805.020 are not subject to this

1 section if the vehicles are:

2 (A) Equipped with original manufacturer’s equipment and accessories, or their equivalent, and
3 are maintained in safe operating condition; or

4 (B) Street rods that conform to ORS 815.107.

5 (c) Bicycles are subject to requirements and limitations on sound equipment as provided under
6 ORS 815.280.

7 (d) Antique vehicles are not subject to the requirements if the vehicles are **used as permitted**
8 **under ORS 805.030** [maintained as collectors’ items and used for exhibitions, parades, club activities
9 and similar uses, but not used primarily for the transportation of persons or property].

10 (e) The requirements do not apply to road machinery, road rollers and farm tractors.

11 (f) Electric personal assistive mobility devices are subject to requirements and limitations on
12 sound equipment as provided under ORS 815.284.

13 (3) The offense described in this section, violation of vehicle sound equipment requirements, is
14 a Class C traffic violation.

15 **SECTION 15.** ORS 815.250 is amended to read:

16 815.250. (1) A person commits the offense of operation without proper exhaust system if the
17 person drives or moves on any highway or owns and causes or knowingly permits to be driven or
18 moved on any highway a motor vehicle that is not equipped with an exhaust system that meets the
19 requirements under this section.

20 (2) An exhaust system only meets the requirements of this section if all of the following apply:

21 (a) The exhaust system must be in good working order.

22 (b) The exhaust system must be in constant operation.

23 (c) The exhaust system must meet noise emission standards determined by the Department of
24 Environmental Quality to be substantially equivalent to the following standards based upon a sta-
25 tionary test conducted at a distance of 25 feet in accordance with procedures established by the
26 Department of Environmental Quality:

27 _____

	Maximum level, dBA	Model, Year
I. Motor vehicles required to establish a registration weight under ORS 803.430 and commercial buses	94before 1976
	911976 and after
II. Motorcycles and mopeds	94before

1 1976
2 911976
3 89after 1976
4 III. Motor vehicles
5 not described
6 under I or II 92before
7 1976
8 881976 and
9 after

11
12 (3) This section does not apply to the following vehicles:
13 (a) Vehicles of special interest that are registered under ORS 805.020 and that are:
14 (A) Equipped with original manufacturer’s equipment and accessories, or their equivalent, and
15 that are maintained in safe operating condition; or
16 (B) Street rods that conform to ORS 815.107.
17 (b) Road machinery, road rollers or farm tractors.
18 (c) Antique [*motor*] vehicles that are **used as permitted under ORS 805.030** [*maintained as*
19 *collectors’ items and used for exhibitions, parades, club activities and similar uses, but not used pri-*
20 *marily for the transportation of persons or property*].
21 (4) The court in its discretion may dismiss a citation issued for violation of the offense described
22 in this section if evidence is presented that the exhaust system complies with or has been repaired
23 or modified to comply with the requirements under this section.
24 (5) The offense described in this section, operation without proper exhaust system, is a Class C
25 traffic violation.
26 **SECTION 16.** ORS 815.255 is amended to read:
27 815.255. (1) A person commits the offense of operation of a vehicle for hire without a
28 speedometer if the person drives or moves on any highway or owns and causes or knowingly permits
29 to be driven or moved on any highway a motor vehicle used for carrying passengers for hire that
30 is not equipped with a speedometer or other registering device capable of registering accurately the
31 speed at which the vehicle is operated.
32 (2) This section is subject to the following exemptions in addition to any exemptions under ORS
33 801.026.
34 (a) A motor vehicle equipped with a governor or other regulating device to control its speed
35 within the limits specified by law is not required to be equipped as this section specifies.
36 (b) Vehicles of special interest that are registered under ORS 805.020 are deemed in compliance
37 with the requirements of this section if:
38 (A) The vehicles are equipped with original manufacturer’s equipment and accessories, or their
39 equivalent, and maintained in safe operating condition; or
40 (B) The vehicles are street rods that conform to ORS 815.107.
41 (c) Antique [*motor*] vehicles are exempt from the requirements of this section if the vehicles are
42 **used as permitted under ORS 805.030** [*maintained as collector’s items and used for exhibitions, pa-*
43 *rades, club activities and similar uses, but not used primarily for the transportation of persons or*
44 *property*].
45 (3) The offense described in this section, operation of vehicle for hire without speedometer, is

1 a Class C traffic violation.

2 **SECTION 17.** ORS 815.295 is amended to read:

3 815.295. (1) A person commits the offense of failure to be equipped with required pollution con-
 4 trol equipment if the person operates a motor vehicle upon a highway or leaves a motor vehicle
 5 standing upon a highway and the vehicle is not equipped with a motor vehicle pollution control
 6 system, as defined under ORS 468A.350, that is in compliance with motor vehicle pollutant, noise
 7 control and emission standards adopted by the Environmental Quality Commission under ORS
 8 468A.360.

9 (2) A person [*shall not be found in violation of*] **does not violate** this section if proof of compli-
 10 ance has been issued for the vehicle in compliance with ORS 815.310. Whenever proof of compliance
 11 is revoked, suspended or restricted because a certified system, as defined in ORS 468A.350, or
 12 factory-installed system, as defined in ORS 468A.350, has been found to be unsafe in actual use or
 13 is otherwise mechanically defective, the defect must be corrected or the system must be brought into
 14 compliance with the rules of the commission within 30 days after such finding.

15 (3) Exemptions to this section are established under ORS 815.300. In addition to such ex-
 16 emptions, the following exemptions to this section are established:

17 (a) If the Environmental Quality Commission adopts a rule under ORS 468A.360 requiring cer-
 18 tified or factory-installed systems on motor vehicles registered in designated counties, such vehicles
 19 are not required to be in compliance with such rules until after the date of registration, reregis-
 20 tration or renewal of the vehicle immediately subsequent to the effective date of the rule.

21 (b) Implements of husbandry, road machinery, road rollers and farm tractors are exempt from
 22 this section.

23 (c) Antique vehicles **used as permitted under ORS 805.030** [*maintained as collectors' items and*
 24 *used for exhibitions, parades, club activities and similar uses, but not used primarily for the trans-*
 25 *portation of persons or property, are exempt from this section*].

26 (4) The offense described in this section, failure to be equipped with required pollution control
 27 equipment, is a Class C traffic violation.

28 **SECTION 18.** ORS 815.300 is amended to read:

29 815.300. This section establishes exemptions from the requirements under ORS 815.295 to be
 30 equipped with a certified pollution control system. Exemptions established by this section are in
 31 addition to any exemptions established by ORS 801.026. The exemptions established in this section
 32 are also applicable to requirements for certification of pollution control equipment before registra-
 33 tion under ORS 803.350 and 803.465. All of the following vehicles are exempt from the requirements
 34 under ORS 815.295:

35 (1) Any vehicle that is not a motor vehicle.

36 (2) Any vehicle unless the vehicle is registered within:

37 (a) The boundaries of the metropolitan service district formed under ORS chapter 268 for the
 38 metropolitan area, as defined in ORS 268.020, which includes the City of Portland, Oregon.

39 (b) Boundaries designated by the Environmental Quality Commission under ORS 468A.390.

40 (3) Any new motor vehicle or new motor vehicle engine when the registration results from the
 41 initial retail sale thereof.

42 (4) Any motor vehicle:

43 (a) Not registered in areas designated under subsection (2)(a) of this section, including any ex-
 44 pansion of such boundary under subsection (2)(b) of this section, with a model year that predates
 45 by more than 20 years the year in which registration or renewal of registration is required; or

1 (b) Registered in areas designated under subsection (2)(a) of this section, including any expansion of such boundary under subsection (2)(b) of this section, with a model year of 1974 or earlier.

2 (5) Motor vehicles that are registered as farm vehicles under ORS 805.300 or apportioned farm
3 vehicles under ORS 805.300.

4 (6) **Vehicles of special interest that are used as permitted under ORS 805.030** [*Special interest vehicles that are maintained as collectors' items and used for exhibitions, parades, club activities and similar uses but not used primarily for the transportation of persons or property*].

5 (7) Fixed load vehicles.

6 (8) Vehicles that are proportionally registered under ORS 826.009 and 826.011 in accordance
7 with agreements established under ORS 826.007.

8 (9) Electric motor vehicles. This subsection does not exempt hybrid motor vehicles that use
9 electricity and another source of motive power.

10 (10) First response rescue units operated by political subdivisions of this state that are not used
11 to transport persons who are ill or injured or who have disabilities.

12 (11) A vehicle that is currently registered in Oregon at the time application for new registration
13 is received by the Department of Transportation if the new registration is a result of a change in
14 the registration or plate type and the application is received at least four months prior to the expiration of the existing registration.

15 (12) Golf carts.

16 (13) Any Class I, Class II, Class III or Class IV all-terrain vehicle.

17 (14) An original equipment manufacturer vehicle that is engineered, designed, produced and
18 warranted to use natural gas as its only fuel source.

19 (15) Racing activity vehicles.

20 **SECTION 19.** ORS 816.310 is amended to read:

21 816.310. This section establishes exemptions from ORS 816.040 to 816.300. The exemptions under
22 this section are in addition to any exemptions under ORS 801.026. The exemptions established under
23 this section are partial or complete as described in the following:

24 (1) ORS 816.040 to 816.300 [*shall not be construed to*] **do not** prohibit the use of additional parts
25 and accessories on any vehicle not inconsistent with the provisions of those sections.

26 (2) Lighting equipment used on vehicles of special interest that are registered under ORS
27 805.020 shall be deemed in compliance with ORS 816.040 to 816.300 if the equipment is original
28 manufacturer's equipment and accessories, or their equivalent and if the equipment is maintained in
29 safe operating condition.

30 (3) ORS 816.040 to 816.300 do not apply to equipment on any of the following:

31 (a) Road machinery.

32 (b) Road rollers.

33 (c) Farm tractors.

34 (d) Antique [*motor*] vehicles that are **used as permitted under ORS 805.030** [*maintained as a collector's item and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property*].

35 (e) Motorized wheelchairs when used as permitted under ORS 811.440.

36 (4) On any combination of vehicles, only the lighting equipment on the rearmost vehicle in the
37 combination of vehicles need be visible from distances specified under ORS 816.040 to 816.290 for
38 lighting equipment on the rear of vehicles.

39 (5) Lighting equipment on bicycles shall meet the requirements established for such equipment
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1 under ORS 815.280.

2 (6) Vehicle lighting equipment requirements for ambulances and emergency vehicles are estab-
 3 lished in ORS 820.350.

4 (7) Lighting equipment on electric personal assistive mobility devices shall meet the require-
 5 ments established in ORS 815.284.

6 **SECTION 20.** ORS 816.340 is amended to read:

7 816.340. This section establishes exemptions from ORS 816.320 and 816.330. The exemptions es-
 8 tablished under this section are in addition to any exemptions under ORS 801.026. The exemptions
 9 under this section are partial or complete as described in the following:

10 (1) ORS 816.320 and 816.330 [*shall not be construed to*] **do not** prohibit the use of additional parts
 11 and accessories on any vehicle consistent with the provisions of those sections.

12 (2) [*Motor*] Vehicles of special interest that are registered under ORS 805.020 [*shall be deemed*]
 13 **are** in compliance with ORS 816.320 and 816.330 if:

14 (a) The vehicles are equipped with original manufacturer’s equipment and accessories, or their
 15 equivalent, and if the equipment is maintained in safe operating condition; or

16 (b) The vehicles are street rods that conform to ORS 815.107.

17 (3) ORS 816.320 and 816.330 do not apply to any of the following vehicles:

18 (a) Road machinery.

19 (b) Road rollers.

20 (c) Farm tractors, implements of husbandry and farm trailers.

21 (d) Antique [*motor*] vehicles that are **used as permitted under ORS 805.030** [*maintained as a*
 22 *collector’s item and used for exhibitions, parades, club activities and similar uses, but not used pri-*
 23 *marily for the transportation of persons or property*].

24 (4) Motorcycles manufactured before 1973 are not required to be equipped with turn signals if
 25 the motorcycle is not driven during limited visibility conditions under ORS 811.405 and 811.515.

26 (5) Truck tractors are not required to be equipped with rear reflectors.

27 (6) Pole trailers are not required to be equipped with side reflectors, side marker lights, clear-
 28 ance lights or identification lights.

29 (7) Motor vehicles registered in this state on or before January 1, 1940, are not required to be
 30 equipped with a high-beam indicator.

31 (8) Bicycles shall be equipped with lighting equipment as required under ORS 815.280.

32 (9) Requirements for warning lights on ambulances are provided under ORS 820.350 and 820.360.

33 (10) Electric personal assistive mobility devices shall be equipped with lighting equipment as
 34 required under ORS 815.284.

35 **SECTION 21.** ORS 816.370 is amended to read:

36 816.370. This section establishes exemptions from ORS 816.350 and 816.360. The exemptions es-
 37 tablished under this section are in addition to any exemptions under ORS 801.026. The exemptions
 38 under this section are partial or complete as described in the following:

39 (1) ORS 816.350 and 816.360 [*shall not be construed to*] **do not** prohibit the use of additional parts
 40 and accessories on any vehicle not inconsistent with the provisions of those sections.

41 (2) Lighting equipment used on [*motor*] vehicles of special interest that are registered under ORS
 42 805.020 shall be deemed in compliance with ORS 816.350 and 816.360 if the equipment is original
 43 manufacturer’s equipment and accessories, or their equivalent and if the equipment is maintained in
 44 safe operating condition.

45 (3) ORS 816.350 and 816.360 do not apply to equipment on any of the following:

1 (a) Road machinery.

2 (b) Road rollers.

3 (c) Farm tractors.

4 (d) Antique [*motor*] vehicles that are **used as permitted under ORS 805.030** [*maintained as a*
5 *collector's item and used for exhibitions, parades, club activities and similar uses, but not used pri-*
6 *marily for the transportation of persons or property*].

7 (4) Ambulances and emergency vehicles are subject to the provisions under ORS 820.350 and
8 820.360.

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APPLICABILITY

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**SECTION 22. The amendments to ORS 805.030 by section 1 of this 2013 Act apply to
13 conduct that occurs on or after the effective date of this 2013 Act.**

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CAPTIONS

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**SECTION 23. The unit captions used in this 2013 Act are provided only for the conven-
18 ience of the reader and do not become part of the statutory law of this state or express any
19 legislative intent in the enactment of this 2013 Act.**

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