

House Bill 2725

Sponsored by Representative BUCKLEY

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**.

Provides that off-road operating permit for all-terrain vehicle must be issued in form of identification plate rather than decal if vehicle is not otherwise registered with Department of Transportation.

A BILL FOR AN ACT

1
2 Relating to all-terrain vehicles; amending ORS 390.580 and 821.195.

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

4 **SECTION 1.** ORS 390.580 is amended to read:

5 390.580. (1)(a) **The State Parks and Recreation Department shall issue all-terrain vehicle**
6 **off-road operating permits. If an all-terrain vehicle is registered under ORS 803.420, the de-**
7 **partment shall issue a decal for the all-terrain vehicle as provided in this section. If the all-**
8 **terrain vehicle is not registered under ORS 803.420, the department shall issue an**
9 **identification plate for the all-terrain vehicle as provided in this section.** An all-terrain vehicle
10 off-road operating permit issued under this section [*is a decal that*] authorizes use of the all-terrain
11 vehicle for which it is issued on trails and in areas designated for such use by the appropriate au-
12 thority.

13 (b) An all-terrain vehicle decal **or identification plate** issued under this section must be per-
14 manently affixed to the vehicle and displayed in a clearly visible manner. The [*State Parks and Re-*
15 *creation*] department shall prescribe by rule the manner in which the decal **or identification plate**
16 shall be displayed.

17 (2) The department shall issue an all-terrain vehicle off-road operating permit to any person who
18 completes the application described in subsection (4) of this section and pays the fee specified in
19 subsection (5) of this section.

20 (3) The department shall specify by rule the form of the permit and the information to be con-
21 tained on the permit.

22 (4) Application for an all-terrain vehicle off-road operating permit [*for a Class I, Class II, Class*
23 *III or Class IV all-terrain vehicle*] shall be in a form furnished by the department. The application
24 shall include:

25 (a) The name and address of the owner of the all-terrain vehicle; and

26 (b) The make and body style of the all-terrain vehicle for which application is made.

27 (5) The department shall establish by rule a fee for a permit issued or renewed under this sec-
28 tion. The fee shall be designed to cover the costs to the department for issuing or renewing permits
29 under this section but shall not exceed \$10.

30 (6) Permits issued under this section are valid for two years. A permit may be renewed upon
31 submission of an application that contains the information specified in subsection (4) of this section

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 and payment of the renewal fee specified in subsection (5) of this section.

2 (7) The department may appoint agents to issue permits for all-terrain vehicles. The department
3 shall prescribe the procedure for the issuance of the permits. Agents appointed under this subsection
4 shall issue permits in accordance with the prescribed procedure and shall charge and collect the
5 fees prescribed in this section for the permits.

6 **(8) The department shall prescribe by the rule the design and form of the identification**
7 **plate subject to the following:**

8 **(a) All plates must be at least 4 inches by 7 inches in size.**

9 **(b) All plates must contain the distinctive number or characters assigned to the all-**
10 **terrain vehicle. The assigned number or characters must be at least 1.5 inches in height.**

11 **SECTION 2.** ORS 821.195 is amended to read:

12 821.195. (1) A person commits the offense of operating an all-terrain vehicle without a permit
13 [*and a decal*] if the person operates an all-terrain vehicle [*without a permit and a decal*]:

14 **(a) In an area or on a trail designated by the appropriate authority as open to all-terrain vehi-**
15 **cles only if [*they*] the all-terrain vehicles have either permits and decals[,] or permits and iden-**
16 **tification plates; and**

17 **(b) Without a permit and a decal or without a permit and an identification plate.**

18 (2) This section does not apply to:

19 (a) An all-terrain vehicle owned and operated by a resident of another state if the other state
20 grants a similar exemption for all-terrain vehicles owned and operated by residents of Oregon and
21 if the vehicle has not been operated in this state for more than 60 consecutive days; or

22 (b) An all-terrain vehicle owned and operated by the United States, this state or any other state
23 or any political subdivision of the United States or of a state.

24 (3) The offense described in this section, operating an all-terrain vehicle without a permit [*and*
25 *a decal*], is a Class C traffic violation.

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