

# DRAFT

## SUMMARY

Directs Department of Transportation to provide for issuance of titles and identification plates for Class I, Class III and Class IV all-terrain vehicles. Prescribes fees.

Creates offense of failure to title Class I, Class III or Class IV all-terrain vehicle. Punishes by maximum fine of \$250.

Prescribes use of title fees.

Establishes Enhancement and Restoration Funding Review Advisory Committee.

Creates offense of operating all-terrain vehicle without identification plate. Punishes by maximum fine of \$500.

## A BILL FOR AN ACT

Relating to all-terrain vehicles; creating new provisions; and amending ORS 390.555, 390.560, 801.526, 802.110 and 803.030.

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

## TITLING

**SECTION 1. Sections 2 and 3 of this 2015 Act are added to and made a part of the Oregon Vehicle Code.**

**SECTION 2. (1) The Department of Transportation shall provide for the issuance of titles for Class I, Class III and Class IV all-terrain vehicles required to be titled under section 3 of this 2015 Act. The following provisions relating to titling shall be the same for Class I, Class III and Class IV all-terrain vehicles as for other vehicles:**

**(a) Fee for issuance.**

1 (b) Provisions relating to transfer, including security interests and  
2 other types of transfer, fees for transfer, time limits for transfer and  
3 responsibility for making transfer and submitting documents.

4 (c) Information required to be placed on a title, except where the  
5 department determines such information would be inappropriate.

6 (d) Party to whom title is issued upon original issuance or transfer.

7 (e) Validity times and requirements.

8 (f) Provisions contained in ORS 819.010 to 819.040.

9 (g) Any provisions relating to title that are applicable to other ve-  
10 hicles under the vehicle code and that the department determines, by  
11 rule, to be necessary to ensure that the titling of Class I, Class III and  
12 Class IV all-terrain vehicles is administered in the same manner and  
13 has the same effect as the titling of other vehicles.

14 (h) Provisions relating to salvage titles.

15 (2) Application for issuance of title for Class I, Class III and Class  
16 IV all-terrain vehicles shall be made in the manner and in a form  
17 prescribed by the department. The department may require any infor-  
18 mation in the application the department determines is reasonably  
19 necessary to determine ownership or right to title for a Class I, Class  
20 III or Class IV all-terrain vehicle. The department may provide for  
21 application for title in any way the department determines appropri-  
22 ate.

23 (3) Dealers issued certificates under ORS 822.020 who sell Class I,  
24 Class III or Class IV all-terrain vehicles shall accept application and  
25 fees for title of a new or used Class I, Class III or Class IV all-terrain  
26 vehicle in a manner required by the department.

27 **SECTION 3.** (1) A person commits the offense of failure to title a  
28 Class I, Class III or Class IV all-terrain vehicle if the person is the  
29 owner of a Class I, Class III or Class IV all-terrain vehicle that is in  
30 this state or is operating a Class I, Class III or Class IV all-terrain  
31 vehicle at any place in this state and the Class I, Class III or Class IV

1 all-terrain vehicle has not been issued a title as provided under section  
2 2 of this 2015 Act.

3 (2) The requirement to title a Class I, Class III or Class IV all-  
4 terrain vehicle under this section does not apply if the Class I, Class  
5 III or Class IV all-terrain vehicle is any of the following:

6 (a) Owned and operated by the United States, another state or a  
7 political subdivision of another state.

8 (b) Owned and operated by this state or by any city, district or  
9 political subdivision of this state.

10 (c) A new Class I, Class III or Class IV all-terrain vehicle that is in  
11 the possession of a dealer for purposes of sale or display.

12 (d) A Class I, Class III or Class IV all-terrain vehicle that is used  
13 exclusively for transportation between ranching or farming headquar-  
14 ters, agricultural fields or pastures.

15 (3) The offense described in this section, failure to title a Class I,  
16 Class III or Class IV all-terrain vehicle, is a Class D traffic violation.

17 SECTION 4. (1) The Department of Transportation shall issue an  
18 identification plate for each all-terrain vehicle that receives title under  
19 section 2 of this 2015 Act.

20 (2) Subsection (1) of this section does not apply to a vehicle that is  
21 registered under the laws of this state and that already has a regis-  
22 tration plate affixed to the vehicle.

23 (3) An identification plate issued under this section must be per-  
24 manently affixed to the vehicle and displayed in a clearly visible  
25 manner. The department shall prescribe by rule the manner in which  
26 the identification plate shall be displayed.

27 (4) The department shall prescribe by rule the design and form of  
28 the identification plate subject to the following:

29 (a) All identification plates must be at least four inches by seven  
30 inches in size.

31 (b) All identification plates must contain the distinctive number or

1 **characters assigned to the all-terrain vehicle.**

2 **(c) The assigned number or characters must be at least 1.5 inches**  
3 **in height.**

4 **(5) The department shall establish by rule a fee for an identification**  
5 **plate issued under this section. The fee shall be designed to cover the**  
6 **costs to the department for issuing or renewing identification plates**  
7 **under this section but may not exceed \$10.**

8 **SECTION 5.** ORS 801.526 is amended to read:

9 801.526. "Title" means an ownership interest in a vehicle that is evidenced  
10 by a record of the Department of Transportation or of some other jurisdic-  
11 tion. The record may be in the form of a certificate of title or it may be in  
12 another form, including but not necessarily limited to electronic or  
13 machine-readable form. Oregon issues titles under ORS 803.045. Titles for  
14 snowmobiles are issued as provided under ORS 821.060. **Titles for Class I,**  
15 **Class III and Class IV all-terrain vehicles are issued as provided under**  
16 **section 2 of this 2015 Act.** Salvage titles are issued as provided in ORS  
17 803.140.

18 **SECTION 6.** ORS 803.030 is amended to read:

19 803.030. This section establishes exemptions from the requirements under  
20 ORS 803.025 to obtain title issued by this state. The exemptions are subject  
21 to ORS 803.040. The exemptions are in addition to any exemptions under ORS  
22 801.026. Vehicles exempted by this section from the requirements to be titled  
23 by this state are not prohibited from being titled by this state if titling is  
24 permitted under ORS 803.035. The exemptions are partial or complete as  
25 provided in the following:

26 (1) Title from this state is not required for a vehicle unless the vehicle  
27 is operated on a highway in this state.

28 (2) Title from this state is not required unless a vehicle is operated under  
29 a registration number of this state.

30 (3) Snowmobiles and Class I, Class III and Class IV all-terrain vehicles  
31 are not subject to the requirements under ORS 803.025. The requirements and

1 procedures for titling snowmobiles are as provided under ORS 821.060 and  
2 821.070. **The requirements and procedures for titling Class I, Class III  
3 and Class IV all-terrain vehicles are as provided under sections 2 and  
4 3 of this 2015 Act.**

5 (4) Road rollers, farm tractors and traction engines are exempt from the  
6 requirements for title.

7 (5) Trolleys are exempt from the requirements for title.

8 (6) Bicycles are exempt from the requirements for title.

9 (7) United States Government owned and operated motor vehicles and  
10 trailers are exempt from the requirements for title.

11 (8) Implements of husbandry, well drilling machinery, emergency fire ap-  
12 paratus providing public fire protection and wheelchairs are exempt from the  
13 requirements for title.

14 (9) Except as provided in subsection (23) of this section, fixed load vehi-  
15 cles are exempt from the requirements for title while operated within the  
16 immediate construction project, as described in the governmental agency  
17 contract, in the construction or reconstruction of state or county roads,  
18 highways or city streets.

19 (10) Motor vehicles designed to operate at a loaded weight over 8,000  
20 pounds, trailers and equipment are exempt from requirements for title while:

21 (a) Owned, leased, contracted or requisitioned by the State Forester, State  
22 Board of Forestry, their contractors under ORS chapter 477, or the federal  
23 government; and

24 (b) Being used for the purposes of forest protection and fire suppression  
25 under ORS chapter 477 or a similar federal statute, including movement of  
26 the vehicles to and from the work area.

27 (11) Farm trailers are exempt from requirements for title when the oper-  
28 ation or movement of the vehicle upon the highways is incidental to its use  
29 in an agricultural operation.

30 (12) Golf carts operated under an ordinance adopted under ORS 810.070  
31 are exempt from requirements for title.

1 (13) Golf carts or similar vehicles are exempt from requirements for title  
2 when:

3 (a) They have not less than three wheels in contact with the ground;

4 (b) They have an unloaded weight of less than 1,300 pounds;

5 (c) They are designed to be and are operated at not more than 15 miles  
6 per hour; and

7 (d) They are operated by persons with disabilities.

8 (14) The nonresident owners of vehicles currently registered and titled in  
9 any other country, state or territory may operate such vehicles over the  
10 highways of this state without complying with the titling requirements under  
11 ORS 803.025. All of the following apply to this subsection:

12 (a) This subsection only provides an exemption so long as the owner sat-  
13 isfactorily shows that the owner is not a resident of this state or has been  
14 a resident of this state for less than 30 days. For the purpose of this para-  
15 graph, a person is a resident of this state if the person meets the residency  
16 requirements described in ORS 803.200.

17 (b) The exemption under this subsection applies to vehicles granted ex-  
18 emptions under ORS 802.500, 802.520 or 826.005, unless otherwise provided  
19 under paragraph (c) of this subsection.

20 (c) Except as otherwise provided in this paragraph, a vehicle operated  
21 over the highways of this state for compensation or profit must comply with  
22 the titling requirements under ORS 803.025 in the same manner as required  
23 of nontitled vehicles. The following vehicles are not subject to this para-  
24 graph:

25 (A) Vehicles operated under reciprocal registration exemptions estab-  
26 lished under ORS 802.500 or 826.005.

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

28 (C) Vehicles that are proportionally registered under an agreement es-  
29 tablished under ORS 826.007, and according to the procedures established  
30 under ORS 826.009 or 826.011.

31 (D) Any vehicle if duly registered and titled under the laws of the state

1 or country of which the owner is a bona fide resident to the extent that in  
2 the foreign country, state, territory or federal district where the owner re-  
3 sides like exemptions and privileges are granted vehicles duly registered and  
4 titled under the laws of this state and owned by residents of this state.

5 (d) If no exemptions from titling requirements are in effect under ORS  
6 802.500, 802.520, 826.005 or 826.007 with respect to another jurisdiction, any  
7 vehicle properly registered and titled in such other jurisdiction and for  
8 which evidence of compliance is supplied shall receive, when operated in this  
9 state, the same exemptions, benefits and privileges granted by such other  
10 jurisdictions to vehicles properly registered and titled in this state.  
11 Reciprocity extended under this paragraph shall apply to commercial vehi-  
12 cles only when engaged exclusively in interstate commerce.

13 (e) Any vehicle operated under dealer registration plates issued by an-  
14 other state, country, province, territory or the District of Columbia is subject  
15 to this subsection.

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

18 (16) Towing businesses issued certificates under ORS 822.205 may tow  
19 untitled vehicles as provided under ORS 822.210.

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

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

24 (19) Vehicles that are registered by the United States Department of State  
25 and that are owned or operated by foreign nationals with diplomatic immu-  
26 nity are exempt from the requirements for title.

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

30 (b) A trailer that is registered under the proportional registration pro-  
31 visions of ORS chapter 826 and titled in a jurisdiction other than Oregon

1 shall remain exempt from the requirements for title in Oregon if the trailer  
2 is registered when the other jurisdiction removes its exception to propor-  
3 tional registration requirements for the trailer.

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

6 (22) Electric personal assistive mobility devices are exempt from the re-  
7 quirements for title.

8 (23) Road machinery that is operated at the direction of a road authority  
9 is exempt from the requirements for title. The exemption under this sub-  
10 section also applies when the operation of road machinery upon a highway  
11 or an alley is incidental to its use in a highway maintenance operation.

12 (24) Special mobile equipment is exempt from the requirements for title.

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14

#### USE OF TITLE FEES

15

16 **SECTION 7.** ORS 802.110 is amended to read:

17 802.110. Any procedures the Department of Transportation establishes for  
18 financial administration of those functions of the department dealing with  
19 driver and motor vehicle services and for the disposition and payment of  
20 moneys it receives from the provision of driver and motor vehicle services  
21 shall comply with all of the following:

22 (1) The department shall deposit all moneys it receives related to driver  
23 and motor vehicle services in the Department of Transportation Driver and  
24 Motor Vehicle Suspense Account for approved expenses and disbursements before  
25 payment of general administrative expenses of the department related to the  
26 provision of driver and motor vehicle services. Notwithstanding this sub-  
27 section, the department may return a bank check or money order when re-  
28 ceived in incorrect or incomplete form or when not accompanied by the  
29 proper application.

30 (2) The department shall pay the following approved expenses and dis-  
31 bursals from the Department of Transportation Driver and Motor Vehicle



1 Suspense Account before payment of the general administrative expenses of  
2 the department related to driver and motor vehicle services:

3 (a) Refunds authorized by any statute administered by the department  
4 when such refunds are approved by the department.

5 (b) Amounts transferred to the State Treasurer under ORS 319.410 (2) for  
6 the purpose of carrying out the state aviation laws, amounts transferred to  
7 the Boating Safety, Law Enforcement and Facility Account by ORS 319.415,  
8 amounts transferred to the State Aviation Account by ORS 319.417 and  
9 amounts transferred to the Department of Transportation Operating Fund  
10 by ORS 184.643.

11 (c) After deduction of expenses of collection, transfer and administration,  
12 the department shall pay moneys collected from the Student Driver Training  
13 Fund eligibility fee under ORS 807.040, 807.150 and 807.370 to the State  
14 Treasurer for deposit in the Student Driver Training Fund. The moneys de-  
15 posited in the Student Driver Training Fund under this paragraph are con-  
16 tinuously appropriated to the department for the following purposes:

17 (A) To the extent of not more than 10 percent of the amount transferred  
18 into the Student Driver Training Fund in any biennium, to pay the expenses  
19 of administering ORS 336.795, 336.800, 336.805, 336.810 (2) and 336.815.

20 (B) The remaining moneys, for reimbursing school districts and commer-  
21 cial driver training schools as provided under ORS 336.805.

22 (d) After deduction of expenses of collection, transfer and administration,  
23 the department shall pay moneys collected for the Motorcycle Safety Subac-  
24 count under ORS 807.170 to the State Treasurer for deposit in the Motorcycle  
25 Safety Subaccount of the Transportation Safety Account. Moneys paid to the  
26 State Treasurer under this paragraph shall be used for the purpose of ORS  
27 802.320.

28 (e) After deduction of expenses for the administration of the issuance of  
29 customized registration plates under ORS 805.240, the department shall place  
30 moneys received from the sale of customized registration plates in the Pas-  
31 senger Rail Transportation Account. The moneys placed in the account are

1 continuously appropriated to the department and shall be used for the pay-  
2 ment of expenses incurred in administering passenger rail programs.

3 (f) After deduction of expenses of collection, transfer and administration,  
4 the department shall pay moneys from any registration fees established by  
5 the governing bodies of counties or a district, as defined in ORS 801.237,  
6 under ORS 801.041 or 801.042 to the appropriate counties or districts. The  
7 department shall make the payments on at least a monthly basis unless an-  
8 other basis is established by the intergovernmental agreements required by  
9 ORS 801.041 and 801.042 between the department and the governing bodies  
10 of a county or a district.

11 (g) After deducting the expenses of the department in collecting and  
12 transferring the moneys, the department shall make disbursements and payments  
13 of moneys collected for or dedicated to any other purpose or fund except the  
14 State Highway Fund, including but not limited to, payments to the Depart-  
15 ment of Transportation Operating Fund established by ORS 184.642 (1) and  
16 (2).

17 (3) The department shall refund from the Department of Transportation  
18 Driver and Motor Vehicle Suspense Account any excess or erroneous pay-  
19 ment to a person who made the payment or to the person's legal represen-  
20 tative when the department determines that money has been received by it  
21 in excess of the amount legally due and payable or that it has received  
22 money in which it has no legal interest. Refunds payable under this sub-  
23 section are continuously appropriated for such purposes in the manner for  
24 payment of refunds under this section. If the department determines that a  
25 refund is due, the department may refund the amount of excess or erroneous  
26 payment without a claim being filed. Except as provided in ORS 319.290,  
27 319.375, 319.820 and 319.831, any claim for a refund from the department must  
28 be filed within 12 months after the date payment is received by the depart-  
29 ment.

30 (4) After payment of those expenses and disbursements approved for payment  
31 before general administrative expenses related to the provision of driver and

1 motor vehicle services, the department shall pay from the Department of  
2 Transportation Driver and Motor Vehicle Services Administrative Account  
3 its general administrative expenses incurred in the administration of any law  
4 related to driver and motor vehicle services that the department is charged  
5 with administering and any other expenses the department is permitted by  
6 law to pay from moneys held by the department before transfer of the moneys  
7 to the State Highway Fund. The following limitations apply to payments of  
8 administrative expenses under this subsection:

9 (a) The department shall make payment of the expenses of administering  
10 the issuance of winter recreation parking permits under ORS 811.595 from  
11 those moneys received from issuing the permits.

12 (b) The department shall pay its expenses for administering the registra-  
13 tion and titling of snowmobiles under ORS 821.060 and 821.100 from the fees  
14 collected from administering those sections. The department shall also pay  
15 its expenses for the administration of the snowmobile driver permit program  
16 under ORS 821.160 from the moneys otherwise described in this paragraph.

17 (c) The department shall pay its expenses for determining the amount of  
18 money to be withheld under ORS 802.120 from the fees collected for admin-  
19 istering the registration and titling of snowmobiles. The amount used to pay  
20 expenses under this paragraph shall be such sum as necessary but may not  
21 exceed \$10,000 during each biennium.

22 (d) The department shall retain not more than \$15,000 in any biennium  
23 for the expenses of collecting and transferring moneys to the Student Driver  
24 Training Fund under this section and for the administration of ORS 336.810  
25 (3).

26 (e) **The department shall pay its expenses for administering the ti-**  
27 **tling of Class I, Class III and Class IV all-terrain vehicles from the fees**  
28 **collected for titling those vehicles. The amount used to pay expenses**  
29 **under this paragraph shall be such sum as necessary but may not ex-**  
30 **ceed \$30 per title issued. The department shall deposit the remaining**  
31 **moneys in the All-Terrain Vehicle Account established under ORS**

1 **390.555.**

2 (5) Except as otherwise provided in this subsection, the department shall  
3 transfer to the State Highway Fund the moneys not used for payment of the  
4 general administrative expenses or for approved expenses and disbursements be-  
5 fore payment of general administrative expenses. The following apply to this  
6 subsection:

7 (a) If the Director of Transportation certifies the amount of principal or  
8 interest of highway bonds due on any particular date, the department may  
9 make available for the payment of such interest or principal any sums that  
10 may be necessary to the extent of moneys on hand available for the State  
11 Highway Fund regardless of the dates otherwise specified under this section.

12 (b) Notwithstanding paragraph (a) of this subsection, the department may  
13 not make available for purposes described in paragraph (a) of this subsection  
14 any moneys described in ORS 367.605 when there are not sufficient amounts  
15 of such moneys in the State Highway Fund for purposes of bonds issued un-  
16 der ORS 367.615.

17 (6) Notwithstanding any other provision of this section, the following  
18 moneys shall be transferred to the State Highway Fund at the times de-  
19 scribed:

20 (a) Moneys received under ORS 802.120 and not used for the payment of  
21 administrative expenses of the department shall be transferred before July  
22 31 of each year.

23 (b) Moneys received from the registration of snowmobiles that are not to  
24 be used for payment of administrative expenses of the department shall be  
25 transferred within 30 days after the end of the quarter.

26 (c) Moneys received from the issuance of winter recreation parking per-  
27 mits that are not used for payment of administrative expenses of the de-  
28 partment shall be transferred within 30 days after the end of the quarter.

29 (7) The following moneys transferred to the State Highway Fund under  
30 this section may be used only for the purposes described as follows:

31 (a) Moneys collected from the issuance of winter recreation parking per-

1 mits, and the interest on such moneys, shall be used to enforce the require-  
2 ment for winter recreation parking permits and to remove snow from winter  
3 recreation parking locations designated under ORS 810.170. Any remaining  
4 moneys shall, upon approval by the Winter Recreation Advisory Committee:

5 (A) Be used to maintain parking locations developed with moneys ob-  
6 tained under ORS 810.170 and snowmobile facilities that are parking lots  
7 developed with moneys as provided under this section;

8 (B) Be used to develop additional winter recreation parking locations  
9 under ORS 810.170; or

10 (C) Be carried over to be used in subsequent years for the purposes and  
11 in the manner described in this paragraph.

12 (b) Moneys received from the registration of snowmobiles or under ORS  
13 802.120 may be used for development and maintenance of multiuse trails  
14 within urban growth boundaries described in ORS 367.017 or for the devel-  
15 opment and maintenance of snowmobile facilities, including the acquisition  
16 of land therefor by any means other than the exercise of eminent domain.  
17 Moneys received under ORS 802.120 may also be used for the enforcement  
18 of ORS 811.590, 821.100 to 821.120, 821.140, 821.150, 821.190, 821.210 and  
19 821.240 to 821.290.

20 (8) The department shall maintain the Revolving Account for Emergency  
21 Cash Advances separate from other moneys described in this section. From  
22 the account, the department may pay for the taking up of dishonored remit-  
23 tances returned by banks or the State Treasurer and for emergency cash  
24 advances to be subsequently reimbursed. The account shall be used only as  
25 a revolving fund. The department shall at all times be accountable for the  
26 amount of the account, either in cash or unreimbursed items and advances.  
27 The moneys in the account are continuously appropriated for the purposes  
28 of this subsection. The amount of moneys in the account under this sub-  
29 section may not exceed \$40,000 from moneys received by the department in  
30 the performance of its driver and motor vehicle services functions and mon-  
31 eys otherwise appropriated for purposes of this subsection. The account un-

1 der this subsection shall be kept on deposit with the State Treasurer. The  
2 State Treasurer is authorized to honor and pay all properly signed and  
3 indorsed checks or warrants drawn against the account.

4 **SECTION 8.** ORS 390.555 is amended to read:

5 390.555. The All-Terrain Vehicle Account is established as a separate ac-  
6 count in the State Parks and Recreation Department Fund, to be accounted  
7 for separately. Interest earned by the All-Terrain Vehicle Account shall be  
8 credited to the account. After deduction of expenses of collection, transfer  
9 and administration, including the expenses of establishment and operation  
10 of Class I, Class III and Class IV all-terrain vehicle safety education courses  
11 and examinations under ORS 390.570, 390.575 and 390.577, the following  
12 moneys shall be transferred to the account:

13 (1) Fees collected by the State Parks and Recreation Department for is-  
14 suance of operating permits for all-terrain vehicles under ORS 390.580 and  
15 390.590.

16 (2) Fees collected by the department from participants in the Class I,  
17 Class III and Class IV all-terrain vehicle safety education courses under ORS  
18 390.570, 390.575 and 390.577.

19 (3) The moneys transferred from the Department of Transportation under  
20 ORS 802.125 that represent unrefunded fuel tax.

21 **(4) The moneys transferred from the Department of Transportation**  
22 **under ORS 802.110 from the fees collected for titling Class I, Class III**  
23 **and Class IV all-terrain vehicles.**

24 **SECTION 9.** ORS 390.560 is amended to read:

25 390.560. Moneys in the All-Terrain Vehicle Account established under  
26 ORS 390.555 shall be used for the following purposes only:

27 (1) In each 12-month period, no less than 10 percent of the moneys de-  
28 scribed in ORS 390.555 (1) to (3) that are attributable to Class I all-terrain  
29 vehicles shall be transferred to the Department of Transportation for the  
30 development and maintenance of snowmobile facilities as provided in ORS  
31 802.110;

1 (2) Planning, promoting and implementing a statewide all-terrain vehicle  
2 program, including the acquisition, development and maintenance of all-  
3 terrain vehicle recreation areas;

4 (3) Education and safety training for all-terrain vehicle operators;

5 (4) Provision of first aid and police services related to all-terrain vehicle  
6 recreation;

7 (5) Paying the costs of instigating, developing or promoting new programs  
8 for all-terrain vehicle users and of advising people of possible usage areas  
9 for all-terrain vehicles;

10 (6) Paying the costs of coordinating between all-terrain vehicle user  
11 groups and the managers of public lands;

12 (7) Paying the costs of providing consultation and guidance to all-terrain  
13 vehicle user programs;

14 (8) Paying the costs of administration of the all-terrain vehicle programs,  
15 including staff support provided under ORS 390.565 as requested by the All-  
16 Terrain Vehicle Advisory Committee;

17 (9) Paying the costs of law enforcement activities related to the operation  
18 of all-terrain vehicles. The State Parks and Recreation Department shall de-  
19 termine the amount required for law enforcement activities and the intervals  
20 at which the moneys shall be distributed. The funds available shall be ap-  
21 portioned according to the terms of an intergovernmental agreement entered  
22 into between the State Parks and Recreation Department and a city, the  
23 Department of State Police or the sheriff of a county; [and]

24 (10) Control and eradication of invasive species related to all-terrain ve-  
25 hicle recreation[.]; **and**

26 **(11) In each 12-month period, 90 percent of the moneys described in**  
27 **ORS 390.555 (4) that are attributable to Class I, Class III and Class IV**  
28 **all-terrain vehicle title fees imposed under section 2 of this 2015 Act**  
29 **shall be used to provide grants in accordance with section 12 of this**  
30 **2015 Act.**

31

1                   **ENHANCEMENT AND RESTORATION FUNDING**  
2                   **REVIEW ADVISORY COMMITTEE**

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4       **SECTION 10. (1) The Enhancement and Restoration Funding Review**  
5 **Advisory Committee is established consisting of six members ap-**  
6 **pointed as follows by the State Parks and Recreation Director:**

7       **(a) One member who represents all-terrain vehicle users;**

8       **(b) One member who represents the all-terrain vehicle industry;**

9       **(c) One member who represents the interests of hunters;**

10       **(d) One member who represents the interests of anglers;**

11       **(e) One member who represents the interests of conservationists;**

12 **and**

13       **(f) One nonvoting member from the State Parks and Recreation**  
14 **Department.**

15       **(2)(a) A majority of the voting members of the committee consti-**  
16 **tutes a quorum for the transaction of business.**

17       **(b) The committee shall elect one of its members to serve as**  
18 **chairperson.**

19       **(c) Before the expiration of the term of a member, the director shall**  
20 **appoint a successor. A member is eligible for reappointment.**

21       **(d) If there is a vacancy for any cause, the director shall make an**  
22 **appointment to become effective immediately.**

23       **(e) The committee shall meet at times and places specified by the**  
24 **call of the chairperson or a majority of the voting members of the**  
25 **committee.**

26       **(3) The members of the committee shall be appointed for a term of**  
27 **four years.**

28       **(4) The members shall serve without compensation, but shall be**  
29 **entitled to travel expenses pursuant to ORS 292.495.**

30       **(5) The duties of the committee shall be determined by the director**  
31 **and shall include, but not be limited to:**



1 (a) **Recommending to the director:**

2 (A) **Grant application procedures and criteria for grant approval;**

3 (B) **Grant recipients; and**

4 (C) **Revocation of grants awarded to recipients that fail to comply**  
5 **with grant criteria established by the State Parks and Recreation**  
6 **Commission pursuant to section 12 of this 2015 Act.**

7 (b) **Receiving and processing grant applications.**

8 **SECTION 11. Notwithstanding the term of office specified by section**  
9 **10 of this 2015 Act, of the members first appointed to the Enhancement**  
10 **and Restoration Funding Review Advisory Committee:**

11 (1) **Two shall serve for terms ending January 1, 2018.**

12 (2) **Two shall serve for terms ending January 1, 2019.**

13 (3) **Two shall serve for terms ending January 1, 2020.**

14  
15 **GRANT PROGRAM**

16  
17 **SECTION 12. (1) After consultation with the Enhancement and**  
18 **Restoration Funding Review Advisory Committee established under**  
19 **section 10 of this 2015 Act, the State Parks and Recreation Commission**  
20 **shall administer the All-Terrain Vehicle Enhancement and Restoration**  
21 **Program described in this section. No less than one-third of the of**  
22 **grant funds awarded under this section must be distributed to grant**  
23 **recipients to achieve the following goals:**

24 (a) **Restoration of public and private lands impacted by the use of**  
25 **Class I, Class III and Class IV all-terrain vehicles.**

26 (b) **The acquisition and development of all-terrain vehicle recre-**  
27 **ation areas.**

28 (c) **Paying the costs of law enforcement activities related to the**  
29 **operation of all-terrain vehicles.**

30 (2) **After consultation with the committee, the commission shall**  
31 **adopt rules establishing:**

1 (a) Grant application procedures and criteria for grant approval;  
2 and

3 (b) Procedures for revocation of grants awarded to recipients that  
4 fail to comply with grant criteria established by the commission pur-  
5 suant to this section.

6 (3) The commission, after reviewing the recommendation of the  
7 committee, shall approve or deny an application for a grant. If the  
8 commission approves a grant under this section, the commission shall  
9 set the amount of the grant awarded to the recipient.

10 (4) The commission shall monitor grant recipients for compliance  
11 with grant criteria and procedures established by the commission.

12 (5) The grants awarded under this section shall be funded only from  
13 the title fees deposited into the All-Terrain Vehicle Account under  
14 ORS 802.110.

15 SECTION 13. To the extent that grant applications under section  
16 12 of this 2015 Act meet the criteria established by the State Parks and  
17 Recreation Commission by rule, the commission shall award the  
18 grants across the state to benefit each of five regions. For purposes  
19 of this section the regions are as follows:

20 (1) Region one consists of Clackamas, Columbia, Hood River,  
21 Multnomah and Washington Counties.

22 (2) Region two consists of Benton, Clatsop, Lane, Lincoln, Linn,  
23 Marion, Polk, Tillamook and Yamhill Counties.

24 (3) Region three consists of Coos, Curry, Douglas, Jackson and  
25 Josephine Counties.

26 (4) Region four consists of Crook, Deschutes, Gilliam, Jefferson,  
27 Klamath, Lake, Sherman, Wasco and Wheeler Counties.

28 (5) Region five consists of Baker, Grant, Harney, Malheur, Morrow,  
29 Umatilla, Union and Wallowa Counties.

30

31 **OFFENSES RELATED TO VEHICLE OPERATION**

1     **SECTION 14.** Section 15 of this 2015 Act is added to and made a part  
2 of the Oregon Vehicle Code.

3     **SECTION 15.** (1) A person commits the offense of operating an all-  
4 terrain vehicle without an identification plate if the person operates  
5 a Class I, Class III or Class IV all-terrain vehicle without an identifi-  
6 cation plate issued under section 4 of this 2015 Act.

7     (2) This section does not apply to:

8     (a) A person operating an all-terrain vehicle that is exempt from  
9 the requirement to affix an identification plate under section 4 of this  
10 2015 Act;

11     (b) An all-terrain vehicle owned and operated by a resident of an-  
12 other state if the other state grants a similar exemption for all-terrain  
13 vehicles owned and operated by residents of Oregon and if the vehicle  
14 has not been operated in this state for more than 60 consecutive days;  
15 or

16     (c) An all-terrain vehicle owned and operated by the United States,  
17 this state or any other state or any political subdivision of the United  
18 States or of a state.

19     (3) The offense described in this section, operating an all-terrain  
20 vehicle without an identification plate, is a Class C traffic violation.

21

22

#### CAPTIONS

23

24     **SECTION 16.** The unit captions used in this 2015 Act are provided  
25 only for the convenience of the reader and do not become part of the  
26 statutory law of this state or express any legislative intent in the  
27 enactment of this 2015 Act.

28

