

Testimony on HB 2267 - House Committee on Transportation and Economic Development
2/23/2015, Room HR-E, 3:00pm, by John Lane

Chair McKeown, Members of the Committee, Thank you for giving me and other operators of all-terrain vehicles a chance to voice an opinion on HB2267.

My name is John Lane, I am Vice President of a non-profit called the, "Oregon Outback Association" whose goal is to assist back-country adventurers, of all methods, by marking key intersections with identifying numbers so that a person can locate their position on maps and navigational devices. I am also an Instructor for the ATV Safety Institute and a Master Instructor for the OSU/4H Youth ATV Training Program.

We recognize that the intent of this bill is to allow the use of All-Terrain Vehicles on rural highways. However, as it is written, HB2267 would require the county or township to post signs on every road they wish to allow open to All-Terrain Vehicles, effectively closing all existing highways currently open to All-Terrain Vehicles; at least until they can create and install proper signage. The magnitude of this project, and the associated costs, would most likely be a net loss to the user.

ORS 801.305 defines a "highway" as, and I quote: "*... every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right.*"

Chair McKeown, Members of the Committee, that means that every open road - dirt, gravel or paved - is a highway. That includes many hundreds of miles (if not thousands of miles) in the remote regions of this state that will be affected by this bill.

Because of that, we are against the passage of this bill – as it is written.

Because Counties and Townships are already passing ordinance to allow ATVs on certain roads within their jurisdictions, we see an opportunity to provide a framework for those counties and towns; but it needs some work first. To reiterate, the current language of HB2267 will not work.

We would like to work with you on this! A state-wide platform that spells out minimum age requirements, training requirements, and equipment standards are all excellent things to have in a State's statute; but they must make sense! Many of the requirements in this bill do not.

If done right, the counties and towns can base their ordinance on what the State mandates. They can provide additional restrictions, if necessary, such as which specific roads would remain closed to All-Terrain Vehicles.

The single largest impediment facing those who currently legally operate All-Terrain Vehicles on Oregon's highways, is an unfortunate side effect from ORS 821.200(1)(f) which says that an