

To: House Committee on Transportation and Economic Development.

Chair McKeown and members of the committee,

My name is Kat Iverson, and I live in Hillsboro, Oregon. I hate to throw a monkeywrench into the proceedings at this late stage, but there is still a problem with SB 878 (and with existing law) requiring being astride a motorcycle seat. The purpose of this bill is to address the requirement to sit, but while you are busy discussing the sit/stand question, you are overlooking the fact that in some cases it is impossible to be astride a motorcycle's seat, regardless of whether one stands or sits.

First, I want to say that I hope that the judge dismissed the citation that started this discussion, because there is something wrong with a state law that requires unsafe behavior, and there is definitely something wrong with a state manual that recommends illegal behavior. I like to think that judges have the discretion to ignore laws when conditions make them absurd, but if not, then this bill definitely needs amending.

There are three-wheeled motor vehicles that, apart from having only three wheels, look like any ordinary car. They are fully enclosed and have steering wheels, bucket seats, and accelerator and brake pedals. The operator sits with his legs in front of him—not on either side of the seat. Legally speaking, these “cars” are motorcycles. A motor vehicle (except a moped or a tractor) with fewer than four wheels is classified as a motorcycle.

Other “motorcycles” which are designed for the rider NOT to sit astride the seat are motor scooters and the vehicles commonly used by parking enforcers. There may be others as well. All these vehicles, although licensed by the DMV, cannot legally be operated unless you amend SB 878.

I leave it to you and staff to draft the wording that will legalize operating these vehicles without legalizing the trick riding which you want to prevent. Maybe it will help if you distinguish between motorcycles with saddles and those with seats. For instance, when it comes to bicycles, strict terminology has it that recumbent bicycles don't have saddles—they have seats. Saddles are used on upright bicycles. A cyclist sits *astride* an upright bicycle's *saddle* or he sits *on* a recumbent bicycle's *seat*. Maybe you can use the distinction between seat and saddle in the bill.

I hope you take this opportunity to correct what I am sure was an unintentional error in state law.