

# House Bill 2267

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Transportation and Economic Development)

## 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 Class I, Class II or Class IV all-terrain vehicle on portion of highway if vehicle meets certain equipment requirements and road authority approves use and posts signs on portion of highway where such all-terrain vehicles are permitted.

Permits person to register motorcycle originally manufactured for off-road use if person submits certificate of approval issued by licensed off-road motorcycle mechanic.

## A BILL FOR AN ACT

Relating to motor vehicles; creating new provisions; and amending ORS 806.020, 815.110 and 821.200.

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

### AUTHORIZATION TO OPERATE

### CLASS I, CLASS II AND CLASS IV ALL-TERRAIN VEHICLES ON HIGHWAYS

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

**SECTION 2.** (1) A Class I or Class IV all-terrain vehicle that is not otherwise authorized to operate on the highways of this state may be operated on the highways of this state if a road authority approves the use under this section and the vehicle:

(a) Is equipped with the following equipment:

(A) Headlight or headlights;

(B) Turn signals;

(C) Taillight or taillights;

(D) Registration plate lights;

(E) Rearview mirror;

(F) Tires;

(G) Fenders;

(H) Speedometer;

(I) Horn;

(J) Parking brake;

(K) A driver or passenger seat that is at least 24 inches from the ground; and

(L) Any other equipment required by the Department of Transportation by rule;

(b) Is designed to operate with four wheels in contact with the ground; and

(c) Has a dry weight of 3,000 pounds or less.

(2) A Class II all-terrain vehicle not otherwise authorized to be operated on the highways

**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 of this state may be operated on the highways of this state if a road authority approves the  
 2 use under this section and the all-terrain vehicle:

3 (a) Meets the equipment requirements listed in subsection (1)(a) of this section; and

4 (b) Is equipped with a safety belt or safety harness for each passenger in the vehicle.

5 (3) A road authority may authorize the use of all-terrain vehicles described in subsections  
 6 (1) and (2) of this section on a portion of a highway if the portion of the highway has a speed  
 7 limit or a designated speed that is 35 miles per hour or less.

8 (4) A grant of authority under subsection (3) of this section to operate a Class I, Class  
 9 II or Class IV all-terrain vehicle on a portion of a highway is effective when the road au-  
 10 thority posts signs giving notice that all-terrain vehicles are permitted on the portion of  
 11 highway where the signs are located.

12 (5) The equipment described in subsection (1)(a) of this section must meet the standards  
 13 described in ORS chapters 815 and 816 and the rules adopted by the Department of Trans-  
 14 portation.

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 16 **INSURANCE**

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 18 **SECTION 3.** ORS 806.020 is amended to read:

19 806.020. This section provides exemptions from the necessity for compliance with or proof of  
 20 compliance with financial responsibility requirements in accident reports under ORS 811.725, when  
 21 applying for vehicle registration under ORS 803.370 or 803.460 and for operating a vehicle under  
 22 ORS 806.010. The owner or operator of a vehicle is exempt, as provided by this section, from finan-  
 23 cial responsibility requirements if the vehicle involved in the accident, sought to be registered or  
 24 operated is any of the following:

25 (1) An antique motor vehicle issued permanent registration under ORS 805.010.

26 (2) A farm trailer.

27 (3) A farm tractor.

28 (4) An implement of husbandry.

29 (5) A motor vehicle of special interest that is maintained as a collector's item and used for ex-  
 30 hibitions, parades, club activities and similar uses, but not used primarily for the transportation of  
 31 persons or property.

32 (6) A snowmobile or a Class I, Class III or Class IV all-terrain vehicle, **unless the Class I or**  
 33 **Class IV all-terrain vehicle is operated on the highways of this state under section 2 of this**  
 34 **2015 Act.**

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

36 (8) A motor assisted scooter.

37 (9) An electric personal assistive mobility device.

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 39 **EXEMPTION**

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 41 **SECTION 4.** ORS 821.200 is amended to read:

42 821.200. This section establishes exemptions from the limitations placed on the use of  
 43 snowmobiles and all-terrain vehicles under ORS 821.190. The prohibitions and penalties under ORS  
 44 821.190 do not apply when a snowmobile or all-terrain vehicle that qualifies for the exemption from  
 45 equipment requirements under ORS 821.010 is being operated as described under any of the follow-

1 ing:

2 (1) A person may lawfully cross a highway or railroad right of way while operating a  
3 snowmobile or all-terrain vehicle if the person complies with all of the following:

4 (a) The crossing must be made at an angle of approximately 90 degrees to the direction of the  
5 highway or railroad right of way.

6 (b) The crossing must be made at a place where no obstruction prevents a quick and safe  
7 crossing.

8 (c) The vehicle must be brought to a complete stop before entering the highway or railroad right  
9 of way.

10 (d) The operator of the vehicle must yield the right of way to vehicles using the highway or  
11 equipment using the railroad tracks.

12 (e) The crossing of a railroad right of way must be made at an established public railroad  
13 crossing.

14 (f) The crossing of a highway must be made at a place that is more than 100 feet from any  
15 highway intersection.

16 (g) If the operator of a snowmobile is under 12 years of age, a person who is 18 years of age  
17 or older must accompany the operator either as a passenger or as the operator of another  
18 snowmobile that is in proximity to the younger operator.

19 (2) A snowmobile or all-terrain vehicle may be lawfully operated upon a highway under any of  
20 the following circumstances:

21 (a) Where the highway is completely covered with snow or ice and has been closed to motor  
22 vehicle traffic during winter months.

23 (b) For purposes of loading or unloading when such operation is performed with safety and  
24 without causing a hazard to vehicular traffic approaching from either direction on the highway.

25 (c) Where the highway is posted to permit snowmobiles or all-terrain vehicles.

26 (d) In an emergency during the period of time when and at locations where snow upon the  
27 highway renders travel by automobile impractical.

28 (e) When traveling along a designated snowmobile or all-terrain vehicle trail.

29 (3) It shall be lawful to operate a snowmobile or all-terrain vehicle upon a railroad right of way  
30 under any of the following circumstances:

31 (a) Where the right of way is posted to permit the operation.

32 (b) In an emergency.

33 (c) When the snowmobile or all-terrain vehicle is operated by an officer or employee or author-  
34 ized contractor or agent of a railroad.

35 (4) **An all-terrain vehicle may be lawfully operated on a highway of this state under sec-**  
36 **tion 2 of this 2015 Act.**

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**SLOW-MOVING VEHICLE EMBLEMS**

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**SECTION 5.** ORS 815.110 is amended to read:

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815.110. This section establishes requirements for ORS 815.115. The requirements under this  
42 section are in addition to any other requirements for lighting equipment provided by law. Except  
43 as specifically provided by an exemption under ORS 815.120, a person violates ORS 815.115 if the  
44 person does not comply with any of the following requirements:

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(1) The following types of vehicles must display slow-moving vehicle emblems described under

1 ORS 815.060:

2 (a) Vehicles or combinations of vehicles designed for customary use at speeds of less than 25  
3 miles per hour.

4 (b) Golf carts or similar vehicles when operated by a person with a disability.

5 (c) Class I, Class II and Class IV all-terrain vehicles operated on a highway under ORS 821.191  
6 (1).

7 **(d) Class I, Class II and Class IV all-terrain vehicles operated on a highway under section  
8 2 of this 2015 Act, unless the all-terrain vehicle is capable of being operated at the speed limit  
9 established under ORS 811.111 or designated speed posted under ORS 810.180.**

10 (2) Slow-moving vehicle emblems must meet the requirements for such emblems established by  
11 the Department of Transportation by rule under ORS 815.060.

12 (3) Slow-moving vehicle emblems shall be displayed on the rear of the power unit. When a  
13 combination of vehicles is being operated in a manner that obscures the emblem mounted on the  
14 power unit, an additional emblem shall be displayed on the rear of the rearmost vehicle in the  
15 combination.

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17 **MODIFICATION OF OFF-ROAD MOTORCYCLES FOR HIGHWAY USE**

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19 **SECTION 6. Section 7 of this 2015 Act is added to and made a part of the Oregon Vehicle  
20 Code.**

21 **SECTION 7. (1) As used in this section, “off-road motorcycle” means a motorcycle that  
22 is originally manufactured for use off the highway.**

23 **(2) A person may register an off-road motorcycle for use on the highways of this state  
24 only if:**

25 **(a) The off-road motorcycle is modified to comply with the equipment provisions of the  
26 vehicle code and rules adopted by the Department of Transportation; and**

27 **(b) The person submits a certificate of approval by a nationally recognized manufacturer  
28 certified repair technician.**

29 **(3) The certificate of approval shall be in such form as may be specified by the depart-  
30 ment by rule.**

31 **(4) The department shall adopt rules for the certification of off-road motorcycles. The  
32 rules shall establish guidelines for determining whether an off-road motorcycle has been  
33 modified in such a way as to be properly equipped to operate on the highways of this state  
34 in accordance with the Federal Motor Vehicle Safety Standards and all other applicable  
35 safety standards established by state and federal law.**

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37 **CAPTIONS**

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39 **SECTION 8. The unit captions used in this 2015 Act are provided only for the convenience  
40 of the reader and do not become part of the statutory law of this state or express any leg-  
41 islative intent in the enactment of this 2015 Act.**