

House Bill 2512

Sponsored by Representative CLEM (at the request of Joel Fischer) (Pre-session filed.)

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**.

Allows operators of motorcycles and mopeds to travel on shoulder of highway during traffic jams or slowdowns.

A BILL FOR AN ACT

Relating to unlawful passing; creating new provisions; and amending ORS 814.240.

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

SECTION 1. ORS 814.240 is amended to read:

814.240. (1) A motorcycle operator or moped operator commits the offense of motorcycle or moped unlawful passing in a lane with a vehicle if the operator does any of the following:

(a) Overtakes and passes in the same lane occupied by the vehicle the operator is overtaking, unless the vehicle being passed is a motorcycle or a moped.

(b) Operates a [*moped or*] motorcycle **or moped** between lanes of traffic or between adjacent lines or rows of vehicles.

(2) A motorcycle operator or moped operator does not commit the offense of motorcycle or moped unlawful passing in a lane with a vehicle if at the time the conduct described in subsection (1) of this section occurs:

(a) Traffic is stopped or has slowed to a speed of less than 25 miles per hour;

(b) The motorcycle operator or moped operator is traveling at a speed of 30 miles per hour or less; and

(c) The motorcycle operator or moped operator travels on the shoulder of the highway.

[(2)] **(3)** This section does not apply to a police officer in the performance of official duties.

[(3)] **(4)** The offense described in this section, motorcycle or moped unlawful passing in a lane with a vehicle, is a Class B traffic violation.

SECTION 2. The amendments to ORS 814.240 by section 1 of this 2015 Act apply to offenses occurring on or after the effective date of this 2015 Act.

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.