

# Senate Bill 192

Sponsored by Senator FERRIOLI (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**.

Permits Class I, Class II or Class IV all-terrain vehicles to be operated on highways under certain circumstances if equipped with certain equipment approved by Department of Transportation. Requires all-terrain vehicles operated on highways to fulfill financial responsibility requirements.

## A BILL FOR AN ACT

1  
2 Relating to all-terrain vehicles; creating new provisions; and amending ORS 806.020, 815.110 and  
3 821.200.

4 **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

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

11 **SECTION 2. (1) A Class I or Class IV all-terrain vehicle that is not otherwise authorized**  
12 **to operate on state highways or interstate highways may be operated on the state highways**  
13 **and interstate highways that are located within the boundaries of a county with a population**  
14 **of 20,000 or fewer if the vehicle meets the vehicle equipment standards described in sub-**  
15 **section (3) of this section.**

16 **(2) A Class I or Class IV all-terrain vehicle that is not otherwise authorized to operate**  
17 **on highways, other than state highways or interstate highways, may operate on the highways**  
18 **located in a county with a population of 20,000 or fewer if:**

19 **(a) The vehicle meets the vehicle equipment standards described in subsection (3) of this**  
20 **section; and**

21 **(b) A road authority, under subsection (6) of this section, authorizes the operation under**  
22 **this section.**

23 **(3) The following standards apply to all-terrain vehicles operated on the highways of this**  
24 **state under this section. The all-terrain vehicles must:**

25 **(a) Be equipped with a headlight or headlights;**

26 **(b) Be equipped with turn signals;**

27 **(c) Be equipped with a taillight or taillights;**

28 **(d) Be equipped with registration plate lights;**

29 **(e) Be equipped with a rearview mirror;**

30 **(f) Be equipped with four tires;**

31 **(g) Be equipped with fenders;**

**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       **(h) Be equipped with a speedometer;**
- 2       **(i) Be equipped with a horn;**
- 3       **(j) Be equipped with a parking mechanism;**
- 4       **(k) Be equipped with a driver or passenger seat that is at least 24 inches from the**
- 5 **ground; and**
- 6       **(L) Have a dry weight of 3,000 pounds or less.**
- 7       **(4) A Class II all-terrain vehicle that is not otherwise authorized to operate on state**
- 8 **highways or interstate highways may be operated on the state highways and interstate**
- 9 **highways that are located within the boundaries of a county with a population of 20,000 or**
- 10 **fewer if:**
  - 11       **(a) The vehicle meets the vehicle equipment standards described in subsection (3) of this**
  - 12 **section; and**
  - 13       **(b) The vehicle is equipped with a safety belt or safety harness for each passenger in the**
  - 14 **vehicle.**
  - 15       **(5) A Class II all-terrain vehicle that is not otherwise authorized to operate on highways,**
  - 16 **other than state highways or interstate highways, may operate on the highways located in**
  - 17 **a county with a population of 20,000 or fewer if:**
    - 18       **(a) The vehicle meets the equipment standards described in subsection (3) of this section;**
    - 19       **(b) The vehicle is equipped with a safety belt or safety harness for each passenger in the**
    - 20 **vehicle; and**
    - 21       **(c) A road authority, under subsection (6) of this section, authorizes the operation under**
    - 22 **this section.**
    - 23       **(6) A road authority may authorize the use of all-terrain vehicles on highways if the**
    - 24 **portion of highway authorized is located within a county that has a population of 20,000 or**
    - 25 **fewer.**
    - 26       **(7) A grant of authority under subsection (6) of this section to operate a Class I, Class**
    - 27 **II or Class IV all-terrain vehicle on a highway is effective when signs are posted giving notice**
    - 28 **that all-terrain vehicles are permitted on the portion of the highway where the signs are**
    - 29 **located.**
    - 30       **(8) The equipment described in subsection (3) of this section must meet the standards**
    - 31 **described in ORS chapters 815 and 816 and the rules adopted by the Department of Trans-**
    - 32 **portation.**

**INSURANCE**

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- 36       **SECTION 3.** ORS 806.020 is amended to read:
- 37       806.020. This section provides exemptions from the necessity for compliance with or proof of
- 38 compliance with financial responsibility requirements in accident reports under ORS 811.725, when
- 39 applying for vehicle registration under ORS 803.370 or 803.460 and for operating a vehicle under
- 40 ORS 806.010. The owner or operator of a vehicle is exempt, as provided by this section, from finan-
- 41 cial responsibility requirements if the vehicle involved in the accident, sought to be registered or
- 42 operated is any of the following:
- 43       (1) An antique motor vehicle issued permanent registration under ORS 805.010.
- 44       (2) A farm trailer.
- 45       (3) A farm tractor.

1 (4) An implement of husbandry.

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

5 (6) A snowmobile or a Class I, Class III or Class IV all-terrain vehicle, **unless the Class I or**  
 6 **Class IV all-terrain vehicle is operated on the highways of this state under section 2 of this**  
 7 **2015 Act.**

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

9 (8) A motor assisted scooter.

10 (9) An electric personal assistive mobility device.

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 12 **EXEMPTION**

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

15 821.200. This section establishes exemptions from the limitations placed on the use of  
 16 snowmobiles and all-terrain vehicles under ORS 821.190. The prohibitions and penalties under ORS  
 17 821.190 do not apply when a snowmobile or all-terrain vehicle that qualifies for the exemption from  
 18 equipment requirements under ORS 821.010 is being operated as described under any of the follow-  
 19 ing:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (b) In an emergency.

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

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

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11 **SLOW-MOVING EMBLEM**

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

14 815.110. This section establishes requirements for ORS 815.115. The requirements under this  
15 section are in addition to any other requirements for lighting equipment provided by law. Except  
16 as specifically provided by an exemption under ORS 815.120, a person violates ORS 815.115 if the  
17 person does not comply with any of the following requirements:

18 (1) The following types of vehicles must display slow-moving vehicle emblems described under  
19 ORS 815.060:

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

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

23 (c) Class I, Class II and Class IV all-terrain vehicles operated on a highway under ORS 821.191  
24 (1).

25 **(d) Class I, Class II and Class IV all-terrain vehicles operated on a highway under section**  
26 **2 of this 2015 Act, unless the all-terrain vehicle is capable of being operated at the speed limit**  
27 **or designated speed posted under ORS 810.180.**

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

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

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35 **CAPTIONS**

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37 **SECTION 6.** The unit captions used in this 2015 Act are provided only for the convenience  
38 of the reader and do not become part of the statutory law of this state or express any leg-  
39 islative intent in the enactment of this 2015 Act.