

## SB 344 STAFF MEASURE SUMMARY

### Senate Committee On Business and Transportation

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**Prepared By:** Patrick Brennan, LPRO Analyst

**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 3/1, 3/22

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#### WHAT THE MEASURE DOES:

Requires snowmobiles and certain all-terrain vehicles to cross a highway at an intersection or more than 100 feet from an intersection. Allows a road authority to authorize persons in remote areas to operate all-terrain vehicles within a portion of the highway right of way designated as an all-terrain vehicle access route. Provides an exemption from vehicle equipment requirements if the vehicle operator is crossing a portion of a highway right of way designated as an all-terrain vehicle access route. Establishes the All-Terrain Vehicle Access Routes Advisory Committee and directs the Oregon Transportation Commission to designate all-terrain vehicle access routes throughout Oregon in consultation with the Advisory Committee.

NOTE: MEASURE HAS A SUBSEQUENT REFERRAL TO COMMITTEE ON WAYS AND MEANS

#### ISSUES DISCUSSED:

- Comparison to authority for farm implements to operate on highways
- Many all-terrain vehicles now include most features of a road-equipped vehicle
- Fiscal impact of measure
- Eventuality where posted signs are knocked down or stolen
- Only designed to allow for crossing or traveling short distances

#### EFFECT OF AMENDMENT:

*[-1 amendment]* Requires persons under 18 years of age who are operators or passengers of all-terrain vehicles on public right of way to comply with helmet requirement. Clarifies that exemption from off-road vehicle equipment requirement does not apply to areas posted as closed to off-road vehicles. Specifies that the Oregon Transportation Commission is the entity authorized to designate all-terrain vehicle highway access routes, in consultation with the Advisory Committee. Modifies membership and duties of Advisory Committee. Requires operator to possess Oregon driver license or permit and to wear a motorcycle helmet to operate Class II, III or IV all-terrain vehicle on access route designated by Commission.

FISCAL:

REVENUE:

#### BACKGROUND:

All-terrain vehicles, or ATVs, come in several classes: Class I ATVs are generally three- or four-wheeled, weigh less than 1,200 lbs., use straddle seats and handlebar steering; Class II ATVs are larger vehicles, and often are off-road capable versions of street-legal vehicles; Class III ATVs are off-road motorcycles; and Class IV ATVs, often called side-by-sides or utility terrain vehicles, are smaller than Class IIs but typically have similar structure, such as non-straddle seating and steering wheels. ATVs are required to be licensed with the Oregon Department of Parks and

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Recreation for operation on public lands, but typically are not authorized for on-road use.

Senate Bill 344 allows a road authority to permit the incidental use of an ATV within a designated segment of highway right of way for segments of highway situated in a county with a population of 20,000 residents or fewer. Such segments are required to be identified by signs posted to give notice of the designation.

Senate Bill 344 also creates an All-Terrain Vehicle Access Routes Advisory Committee, comprised of nine members: seven appointed by the Director of the Department of Parks and Recreation (OPRD), a representative of the Oregon State Police, and the Director of the Oregon Department of Transportation (ODOT) or their designee. The Advisory Committee is tasked with evaluating access routes for ATVs on portions of highway right of way, conducting field reviews, and reporting to and making recommendations to ODOT regarding establishment of highway access routes. The Advisory Committee will be provided staff support from OPRD