

**Enrolled**  
**House Bill 3125**

Sponsored by COMMITTEE ON TRANSPORTATION POLICY

CHAPTER .....

AN ACT

Relating to transportation; creating new provisions; amending ORS 807.020 and 814.250; and declaring an emergency.

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

**SECTION 1. Section 2 of this 2017 Act is added to and made a part of the Oregon Vehicle Code.**

**SECTION 2. “Autocycle” means a motorcycle that:**

- (1) Is manufactured to travel on three wheels;**
- (2) Has a steering wheel for steering control;**
- (3) Has nonstraddle seating; and**
- (4) Is equipped with a manufacturer-installed three-point safety belt or safety harness.**

**SECTION 3. ORS 814.250 is amended to read:**

814.250. (1) A person commits the offense of operating a moped or motorcycle more than two abreast if the person is operating a moped or motorcycle on a roadway laned for traffic and the person is riding abreast of more than one other motorcycle or moped in the same lane for traffic.

**(2) For purposes of this section, a motorcycle does not include an autocycle.**

[2)] (3) The offense described in this section, moped or motorcycle operating more than two abreast, is a Class B traffic violation.

**SECTION 4. ORS 807.020 is amended to read:**

807.020. A person who is granted a driving privilege by this section may exercise the driving privilege described without violation of the requirements under ORS 807.010. A grant of driving privileges to operate a motor vehicle under this section is subject to suspension and revocation the same as other driving privileges granted under the vehicle code. This section is in addition to any exemptions from the vehicle code under ORS 801.026. The following persons are granted the described driving privileges:

(1) A person who is not a resident of this state or who has been a resident of this state for less than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person holds a current out-of-state license issued to the person. For the purpose of this subsection, a person is a resident of this state if the person meets the residency requirements described in ORS 807.062. To qualify under this subsection, the person must have the out-of-state license or driver permit in the person’s possession. A person is not granted driving privileges under this subsection:

(a) If the person is under the minimum age required to be eligible for driving privileges under ORS 807.060;

(b) During a period of suspension or revocation by this state or any other jurisdiction of driving privileges or of the right to apply for a license or driver permit issued by this state or any other jurisdiction; or

(c) That exceed the driving privileges granted to the person by the out-of-state license or driver permit.

(2) A person in the Armed Forces of the United States may operate a motor vehicle without an Oregon license or driver permit if the person is operating a motor vehicle in the course of the person's duties in the Armed Forces.

(3) A person without a license or driver permit may operate a road roller or road machinery that is not required to be registered under the laws of this state.

(4) A person without a license or driver permit may temporarily operate, draw, move or propel a farm tractor or implement of husbandry.

(5) A person without a license or driver permit may operate a motor vehicle to demonstrate driving ability during the course of an examination administered under ORS 807.070 for the purpose of qualifying for a license or driver permit. This subsection only applies when an authorized examiner is in a seat beside the driver of the motor vehicle.

(6) Driving privileges for snowmobiles are exclusively as provided in ORS 821.150.

(7) Driving privileges for Class I all-terrain vehicles are exclusively as provided in ORS 821.170.

(8) Driving privileges for Class III all-terrain vehicles are exclusively as provided in ORS 821.172.

(9) Driving privileges for Class IV all-terrain vehicles are exclusively as provided in ORS 821.176.

(10) A person without a license or driver permit may operate a golf cart in accordance with an ordinance adopted under ORS 810.070.

(11) The spouse of a member of the Armed Forces of the United States on active duty who is accompanying the member on assignment in this state may operate a motor vehicle if the spouse has a current out-of-state license or driver permit issued to the spouse by another state in the spouse's possession.

(12) A person who is a member of the Armed Forces of the United States on active duty may operate a motor vehicle if the person has a current out-of-state license or driver permit in the person's possession that is issued to the person by the person's state of domicile or by the Armed Forces of the United States in a foreign country. Driving privileges described under this subsection that are granted by the Armed Forces apply only for a period of 45 days from the time the person returns to the United States.

(13) A person who does not hold a motorcycle endorsement may operate a motorcycle if the person is:

(a) Within an enclosed cab; [or]

(b) Operating a vehicle designed to travel with three wheels in contact with the ground at speeds of less than 15 miles per hour[.]; or

**(c) Operating an autocycle.**

(14) A person may operate a bicycle that is not an electric assisted bicycle without any grant of driving privileges.

(15) A person may operate an electric assisted bicycle without a driver license or driver permit if the person is 16 years of age or older.

(16) A person may operate a motor assisted scooter without a driver license or driver permit if the person is 16 years of age or older.

(17) A person who is not a resident of this state or who has been a resident of this state for less than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person is at least 15 years of age and has in the person's possession a current out-of-state equivalent of a Class C instruction driver permit issued to the person. For the purpose of this subsection, a person is a resident of this state if the person meets the residency requirements described in ORS 807.062. A person operating a motor vehicle under authority of this subsection has the same privileges and

is subject to the same restrictions as a person operating under the authority of a Class C instruction driver permit issued as provided in ORS 807.280.

(18) A person may operate an electric personal assistive mobility device without any grant of driving privileges if the person is 16 years of age or older.

**SECTION 5. (1) No later than September 15, 2021, the Department of Transportation shall submit a report to the interim legislative committees related to transportation on changes to federal law related to autocycles.**

**(2) The report may include recommendations for legislative changes.**

**SECTION 6. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.**

**Passed by House April 20, 2017**

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate May 31, 2017**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2017

**Approved:**

.....M,....., 2017

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2017

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Dennis Richardson, Secretary of State