

Senate Bill 385

Sponsored by Senator KRUSE, Representative POST; Senators GELSER, HANSELL, RILEY, THATCHER, Representative SPRENGER (at the request of former Representative Val Hoyle) (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 or mopeds to travel between adjacent lanes of traffic traveling in same direction under certain circumstances.

A BILL FOR AN ACT

1
2 Relating to unlawful passing; creating new provisions; and amending ORS 814.240.

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

4 **SECTION 1.** ORS 814.240 is amended to read:

5 814.240. (1) A motorcycle operator or moped operator commits the offense of motorcycle or
6 moped unlawful passing in a lane with a vehicle if the operator does any of the following:

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

9 (b) Operates a [*moped or*] motorcycle **or a moped** between lanes of traffic [*or between adjacent*
10 *lines or rows of vehicles.*] **traveling in the opposite direction; or**

11 (c) **Operates a motorcycle or moped between adjacent lanes of traffic traveling in the**
12 **same direction.**

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

16 (a) **The motorcycle operator or moped operator is operating a motorcycle with two**
17 **wheels or a moped with two wheels;**

18 (b) **The motorcycle operator or moped operator is driving on a highway where the speed**
19 **limit established in ORS 811.111 or the designated speed posted under ORS 810.180 is 50 miles**
20 **per hour or higher;**

21 (c) **Traffic is stopped or has slowed to a speed of 10 miles per hour or less; and**

22 (d) **The motorcycle operator or moped operator is driving in a cautious and prudent**
23 **manner and is traveling at a speed of 20 miles per hour or less.**

24 [(2)] (3) This section does not apply to a police officer in the performance of official duties.

25 [(3)] (4) The offense described in this section, motorcycle or moped unlawful passing in a lane
26 with a vehicle, is a Class B traffic violation.

27 **SECTION 2. The amendments to ORS 814.240 by section 1 of this 2017 Act apply to con-**
28 **duct occurring on or after the effective date of this 2017 Act.**

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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.