

SB 810 STAFF MEASURE SUMMARY

Carrier: Sen. Fagan

Senate Committee On Judiciary

Action Date: 04/08/19

Action: Do pass.

Vote: 7-0-0-0

Yeas: 7 - Bentz, Fagan, Gelser, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Michael Lantz, Counsel

Meeting Dates: 3/29, 4/8

WHAT THE MEASURE DOES:

Adds moped and motorcycle riders to list of vulnerable users of a public way.

ISSUES DISCUSSED:

- Dangers to motorcycle riders
- Protections available in other states
- Provisions of measure

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

ORS 801.608 establishes a list of individuals who are considered to be vulnerable users of a public way. This list includes, among others, pedestrians, highway workers, bicyclists, and those operating farm equipment. Moped and motorcycle riders are currently not included on this list. There are two Oregon statutes that penalize harm specifically caused to vulnerable users of a public way. Under ORS 163.160(1)(c), a person commits assault in the fourth degree if that individual, while driving, causes serious physical injury to a vulnerable user while acting with criminal negligence. Meanwhile, ORS 811.135(3)(a-b) increases the penalty for persons convicted of careless driving that seriously injures or kills a vulnerable user. In addition to fines, it requires that the defendant complete a traffic safety course and perform between 100 and 200 hours of community service as directed by the court.

Senate Bill 810 adds moped and motorcycle riders to the list of vulnerable users of a public way.