

House Bill 2382

Sponsored by Representative MARSH (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**.

Provides exemption to offense of operation without pneumatic tires if person operates vehicle equipped with manufacturer's nonpneumatic spare tire.

A BILL FOR AN ACT

Relating to tires; creating new provisions; and amending ORS 815.175.

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

SECTION 1. ORS 815.175 is amended to read:

815.175. This section establishes exemptions from ORS 815.170. The exemptions under this section are in addition to any exemptions under ORS 801.026. Exemptions are partial or complete as described in the following:

(1) Vehicles are not subject on any way, thoroughfare or place owned by a district formed under ORS chapters 545, 547, 551 or a corporation formed under ORS chapter 554.

(2) Vehicles are not subject on any road, thoroughfare or property in private ownership or any road or thoroughfare, other than a state highway or county road, used pursuant to any agreement with any agency of the United States or with a licensee of such agency or both.

(3) Operation authorized under the terms of a variance permit issued under ORS 818.200 is subject to the terms of the permit. It shall be a defense to any charge of violation of ORS 815.170 if the person so charged produces a variance permit issued under ORS 818.200 authorizing the operation of the vehicle or combination of vehicles issued prior to and valid at the time of the offense.

(4) ORS 815.170 does not apply to any implement of husbandry that is equipped with any tires made of elastic material other than pneumatic tires or with tires made with any nonelastic material that are not prohibited under ORS 815.160 and that has a loaded weight of not more than 7,000 pounds and a loaded weight as measured at any axle of not more than 3,500 pounds.

(5) Vehicles of special interest that are registered under ORS 805.020 are deemed in compliance if:

(a) The vehicles are equipped with original manufacturer's equipment and accessories, or their equivalent, and are maintained in safe operating condition; or

(b) The vehicles are street rods that conform to ORS 815.107.

(6) ORS 815.170 does not apply to road machinery, road rollers or farm tractors.

(7) ORS 815.170 does not apply to antique vehicles if the vehicles are maintained as collectors' items and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property.

(8) ORS 815.170 does not apply to vehicles equipped with original manufacturer's non-pneumatic spare tires, or their equivalent, that are maintained in safe operating condition.

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 **SECTION 2.** The amendments to ORS 815.175 by section 1 of this 2021 Act apply to of-
2 fenses that occur on or after the effective date of this 2021 Act.
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