

SB 1558-2
(LC 246)
1/27/22 (HE/ps)

Requested by JOINT COMMITTEE ON TRANSPORTATION (at the request of Senator Lee Beyer)

**PROPOSED AMENDMENTS TO
SENATE BILL 1558**

1 On page 1 of the printed bill, line 2, delete “468.444 and”.

2 Delete lines 5 through 22 and delete pages 2 through 6 and insert:

3 **“SECTION 1. ORS 815.140 is amended to read:**

4 “815.140. (1) A person commits the offense of failure to use vehicle
5 traction tires or chains if the person drives or moves or owns and causes or
6 knowingly permits to be driven or moved any motor vehicle or trailer on any
7 highway if the highway is posted showing conditions that require vehicle
8 traction tires or chains and the vehicle is not equipped with vehicle traction
9 tires or chains that are required for the posted conditions.

10 “(2) Traction tires or chains that are referred to in this section are those
11 established by rule under the authority granted under ORS 815.045.

12 “(3) This section does not apply to vehicles exempted from this section
13 under ORS 815.145.

14 “(4) This section only applies to sections of highway on which a road
15 authority requires the use of traction tires or chains and on which signs
16 requiring the use of traction tires or chains have been posted as provided in
17 ORS 815.045.

18 “(5) A court may not find a person to be in violation of the offense de-
19 scribed under this section if the court determines that the conditions of the
20 highway at the time the person was cited did not require posting under rules
21 adopted under ORS 815.045. The defense under this subsection may be

1 affirmatively asserted by any person cited for violation of the offense de-
2 scribed in this section.

3 “[*(6) The offense described in this section, failure to use vehicle traction*
4 *tires or chains, is a specific fine traffic violation. The presumptive fine for*
5 *failure to use vehicle traction tires or chains is \$880.*]

6 “**(6) Except as provided in subsection (7) of this section, the offense**
7 **described in this section, failure to use vehicle traction tires or chains,**
8 **is a Class C traffic violation.**

9 “**(7) Failure to use vehicle traction tires or chains is a specific fine**
10 **traffic violation if the person was operating a motor vehicle registered**
11 **under ORS chapter 826 at the time of the offense. The presumptive fine**
12 **for failure to use vehicle traction tires or chains is \$880.**

13 “**SECTION 2. The amendments to ORS 815.140 by section 1 of this**
14 **2022 Act apply to offenses committed on or after the effective date of**
15 **this 2022 Act.**

16 “**SECTION 3. ORS 802.093 is repealed.**

17 “**SECTION 4. The repeal of ORS 802.093 by section 3 of this 2022 Act**
18 **applies to citations issued on or after the effective date of this 2022**
19 **Act.”.**

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