

SB 888 STAFF MEASURE SUMMARY

Joint Committee On Transportation

Prepared By: Patrick Brennan, LPRO Analyst

Meeting Dates: 3/9

WHAT THE MEASURE DOES:

Requires persons age 15 or older operating Class IV or certain Class II all-terrain vehicles on public lands to carry and present documentation of both driving privileges and valid all-terrain vehicle operator permit. Requires operators of Class IV all-terrain vehicles, and Class II all-terrain vehicles not registered with the Department of Transportation, to complete a safety education course or pass an equivalency examination to receive an all-terrain vehicle operator permit. Prohibits issuing Class II all-terrain vehicle permits to persons under 15 years of age. Adds Class II all-terrain vehicles to certain offenses related to all-terrain vehicles. Creates offenses of operating Class II all-terrain vehicle without permit, endangering Class II all-terrain vehicle operator, and failure to carry all-terrain vehicle operator permit and/or presenting permit to police officer; makes each offense punishable by maximum fine of \$500. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

All-terrain vehicles, or ATVs, come in several classes: Class I ATVs are generally three- or four-wheeled, weigh less than 1,200 lbs., use straddle seats and handlebar steering; Class II ATVs are larger vehicles, and often are off-road capable versions of street-legal vehicles; Class III ATVs are off-road motorcycles; and Class IV ATVs, often called side-by-sides or utility terrain vehicles, are smaller than Class IIs but typically have similar structure, such as non-straddle seating and steering wheels.

ATVs are required to be licensed with the Oregon Parks and Recreation Department (OPRD) for operation on public lands, but typically are not authorized for on-road use. The Oregon Parks and Recreation Department (OPRD) currently requires all individuals to obtain an ATV Safety Education Card in order to lawfully operate Class I or Class III ATVs on public lands; for Class IV ATVs, the requirement applies only to persons under the age of 16.

Senate Bill 888 requires that anyone operating a Class IV ATV, regardless of age, must first obtain a Safety Education Card in order to lawfully operate on public lands. The measure also creates the offense of failure to carry an ATV operator permit or to present the permit to a police officer upon request. Persons 15 years of age or older operating Class II ATVs not registered with the Department of Transportation, or any Class IV ATV, on public lands must also carry a valid driver license