

SB 889 -6 STAFF MEASURE SUMMARY

Joint Committee On Transportation

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Meeting Dates: 3/9, 5/11, 5/16

WHAT THE MEASURE DOES:

Modifies the definition of Class IV all-terrain vehicle. Removes requirement that certain off-road vehicles be equipped with windshield wipers.

ISSUES DISCUSSED:

- Recommendation of the All-Terrain Vehicle Advisory Committee
- Changes in size of Class IV all-terrain vehicles
- Classification changes do not change rider liability
- Requirement for unobstructed windshield

EFFECT OF AMENDMENT:

-6 Replaces original measure. Modifies definition of Class IV all-terrain vehicle by specifying tires designed for off-road use only; increasing maximum weight from 2,500 pounds to 3,500 pounds; and replacing reference to engine size with language specifying the vehicle is originally manufactured for off-road use only. Modifies definition of Class I all-terrain vehicle by changing reference to tire size to specify that the vehicle be equipped with three or more tires designed for off-road use only. Replaces existing language requiring windshield wiper with language specifying that windshield wiper is required if top edge of windshield is at least six inches from steering wheel and vehicle is being operated on a highway, and while vehicle is operated off-road any windshield must be unobstructed. Applies to offenses committed on or after measure's effective date.

FIS: Minimal fiscal impact on measure w/the -6 amendment

RIS: Minimal revenue impact on measure w/the -6 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 Class IV ATV is growing in popularity, and new variations on the design continue to be developed. The current statutory definition of a Class IV ATV includes reference to wheels with a maximum wheel rim diameter of 14 inches; however, some new models include wheel sizes that exceed the current statutory definition.

Senate Bill 889 modifies the definition of Class IV ATV to remove the wheel size reference and replace it with specification that the vehicle's engine not exceed 1,000 cubic centimeters in piston and rotor displacement. The measure also deletes the requirement that Class IV ATVs with windshields be equipped with a windshield wiper, replacing it with a requirement that the windshield must be unobstructed.