

House Bill 3248

Sponsored by Representative CATE

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**.

Permits person to operate Class I, Class III and Class IV all-terrain vehicles on highways that are not interstate highways if all-terrain vehicle meets vehicle equipment standards and all-terrain vehicle is registered.

Directs Department of Transportation to permit optional registration for Class I, Class III or Class IV all-terrain vehicles if applicant provides satisfactory proof that all-terrain vehicle meets equipment standards for highway use.

A BILL FOR AN ACT

1
2 Relating to all-terrain vehicles; creating new provisions; and amending ORS 803.310, 803.525, 806.020,
3 807.020, 815.110 and 821.190.

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

5 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 821.150 to**
6 **821.292.**

7 **SECTION 2. A Class I, Class III or Class IV all-terrain vehicle may be lawfully operated**
8 **on a highway under the following circumstances:**

9 (1) **The all-terrain vehicle is registered under ORS 803.310; and**

10 (2) **The vehicle is operated on a highway that is not an interstate highway.**

11 **SECTION 3. ORS 821.190 is amended to read:**

12 821.190. (1) A person commits the offense of unlawful operation of an off-road vehicle on a
13 highway or railroad if the person operates a vehicle described in subsection (2) of this section in
14 any of the following described areas:

15 (a) On or across the paved portion, the shoulder, inside bank or slope of any highway, on or
16 across the median of any divided highway or on or across any portion of a highway right of way
17 under construction.

18 (b) On or across a railroad right of way.

19 (2) This section applies to:

20 (a) Snowmobiles.

21 (b) Class I all-terrain vehicles **that:**

22 **(A) Are not properly equipped for operation on a highway; and**

23 **(B) Are not registered under ORS 803.310.**

24 (c) Class II all-terrain vehicles that are not properly equipped for operation on a highway.

25 (d) Class III all-terrain vehicles **that:**

26 **(A) Are not properly equipped for operation on a highway; and**

27 **(B) Are not registered under ORS 803.310.**

28 (e) Class IV all-terrain vehicles **that:**

29 **(A) Are not properly equipped for operation on a highway; and**

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 **(B) Are not registered under ORS 803.310.**

2 (3) Exemptions from this section are established under ORS 821.055 and 821.200.

3 **(4) Subsection (1) of this section does not apply to Class I, Class III or Class IV all-terrain**
 4 **vehicles that are registered under ORS 803.310 and operate on highways that are not inter-**
 5 **state highways as permitted under section 2 of this 2023 Act.**

6 [(4)] (5) In addition to penalties provided by this section, the operator or owner of a snowmobile
 7 or Class I, Class II, Class III or Class IV all-terrain vehicle may be liable as provided under ORS
 8 821.310.

9 [(5)] (6) The offense described in this section, unlawful operation of an off-road vehicle on a
 10 highway or railroad, is a Class B traffic violation.

11 **SECTION 4.** ORS 803.310 is amended to read:

12 803.310. (1) The Department of Transportation, by rule, may provide for optional registration of
 13 vehicles that are exempt from vehicle registration requirements by ORS 803.305. The rules adopted
 14 for purposes of this subsection may provide for the registration of categories of vehicles, types of
 15 vehicles or otherwise. Upon request of an owner, the department may issue registration for a vehicle
 16 that meets the requirements of rules adopted under this section.

17 **(2) The department, by rule, shall provide for optional registration of Class I, Class III**
 18 **and Class IV all-terrain vehicles. Notwithstanding the requirement in ORS 803.350 (9) that a**
 19 **vehicle registered in this state be designed for operation on highways, an applicant may re-**
 20 **quest optional registration of a Class I, Class III or Class IV all-terrain vehicle if the appli-**
 21 **cant provides the department with satisfactory proof that the all-terrain vehicle meets**
 22 **equipment requirements imposed by statute or rule for the lawful operation of a vehicle on**
 23 **the highways. The department may adopt rules to carry out the provisions of this subsection,**
 24 **including but not limited to specifying what constitutes satisfactory proof under this sub-**
 25 **section and the amount of the registration fee.**

26 [(2)] (3) A vehicle that is registered under this section is subject to the same provisions, condi-
 27 tions, fees and other requirements for registration as are other vehicles under the vehicle code.

28 **SECTION 5.** ORS 807.020 is amended to read:

29 807.020. A person who is granted a driving privilege by this section may exercise the driving
 30 privilege described without violation of the requirements under ORS 807.010. A grant of driving
 31 privileges to operate a motor vehicle under this section is subject to suspension and revocation the
 32 same as other driving privileges granted under the vehicle code. This section is in addition to any
 33 exemptions from the vehicle code under ORS 801.026. The following persons are granted the de-
 34 scribed driving privileges:

35 (1) A person who is not a resident of this state or who has been a resident of this state for less
 36 than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person
 37 holds a current out-of-state license issued to the person. For the purpose of this subsection, a person
 38 is a resident of this state if the person meets the residency requirements described in ORS 807.062.
 39 To qualify under this subsection, the person must have the out-of-state license or driver permit in
 40 the person's possession. A person is not granted driving privileges under this subsection:

41 (a) If the person is under the minimum age required to be eligible for driving privileges under
 42 ORS 807.060;

43 (b) During a period of suspension or revocation by this state or any other jurisdiction of driving
 44 privileges or of the right to apply for a license or driver permit issued by this state or any other
 45 jurisdiction; or

1 (c) That exceed the driving privileges granted to the person by the out-of-state license or driver
 2 permit.

3 (2) A person who is a member of the Armed Forces of the United States or a member of the
 4 commissioned corps of the National Oceanic and Atmospheric Administration may operate a motor
 5 vehicle without an Oregon license or driver permit if the person is operating a motor vehicle in the
 6 course of the person's duties in the Armed Forces or the National Oceanic and Atmospheric Ad-
 7 ministration.

8 (3) A person without a license or driver permit may operate a road roller or road machinery
 9 that is not required to be registered under the laws of this state.

10 (4) A person without a license or driver permit may temporarily operate, draw, move or propel
 11 a farm tractor or implement of husbandry.

12 (5) A person without a license or driver permit may operate a motor vehicle to demonstrate
 13 driving ability during the course of an examination administered under ORS 807.070 for the purpose
 14 of qualifying for a license or driver permit. This subsection only applies when an authorized exam-
 15 iner is in a seat beside the driver of the motor vehicle.

16 (6) Driving privileges for snowmobiles are exclusively as provided in ORS 821.150.

17 (7) Driving privileges for Class I all-terrain vehicles are exclusively as provided in ORS 821.170,
 18 unless:

19 (a) A person is operating a Class I all-terrain vehicle on an all-terrain vehicle highway access
 20 route that is designated by the Oregon Transportation Commission as open to all-terrain vehicles;

21 **or**

22 **(b) A person registers the Class I all-terrain vehicle under ORS 803.310 and is operating**
 23 **the Class I all-terrain vehicle on a highway as permitted under section 2 of this 2023 Act.**

24 (8) Driving privileges for Class III all-terrain vehicles are exclusively as provided in ORS
 25 821.172, unless:

26 (a) A person is operating a Class III all-terrain vehicle on an all-terrain vehicle highway access
 27 route that is designated by the commission as open to all-terrain vehicles; **or**

28 **(b) A person registers the Class III all-terrain vehicle under ORS 803.310 and is operating**
 29 **the Class III all-terrain vehicle on a highway as permitted under section 2 of this 2023 Act.**

30 (9) Driving privileges for Class IV all-terrain vehicles are exclusively as provided in ORS
 31 821.176, unless:

32 (a) A person is operating a Class IV all-terrain vehicle on an all-terrain vehicle highway access
 33 route that is designated by the commission as open to all-terrain vehicles; **or**

34 **(b) A person registers the Class IV all-terrain vehicle under ORS 803.310 and is operating**
 35 **the Class IV all-terrain vehicle on a highway as permitted under section 2 of this 2023 Act.**

36 (10) A person without a license or driver permit may operate a golf cart in accordance with an
 37 ordinance adopted under ORS 810.070.

38 (11) The spouse of a member of the Armed Forces of the United States on active duty or the
 39 spouse of a member of the commissioned corps of the National Oceanic and Atmospheric Adminis-
 40 tration who is accompanying the member on assignment in this state may operate a motor vehicle
 41 if the spouse has a current out-of-state license or driver permit issued to the spouse by another state
 42 in the spouse's possession.

43 (12) A person who is a member of the Armed Forces of the United States on active duty or a
 44 member of the commissioned corps of the National Oceanic and Atmospheric Administration may
 45 operate a motor vehicle if the person has a current out-of-state license or driver permit in the

1 person's possession that is issued to the person by the person's state of domicile or by the Armed
 2 Forces of the United States in a foreign country. Driving privileges described under this subsection
 3 that are granted by the Armed Forces apply only for a period of 45 days from the time the person
 4 returns to the United States.

5 (13) A person who does not hold a motorcycle endorsement may operate a motorcycle if the
 6 person is:

7 (a) Within an enclosed cab;

8 (b) Operating a vehicle designed to travel with three wheels in contact with the ground at
 9 speeds of less than 15 miles per hour; or

10 (c) Operating an auticycle.

11 (14) A person may operate a bicycle that is not an electric assisted bicycle without any grant
 12 of driving privileges.

13 (15) A person may operate an electric assisted bicycle without a driver license or driver permit
 14 if the person is 16 years of age or older.

15 (16) A person may operate a motor assisted scooter without a driver license or driver permit if
 16 the person is 16 years of age or older.

17 (17) A person who is not a resident of this state or who has been a resident of this state for less
 18 than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person
 19 is at least 15 years of age and has in the person's possession a current out-of-state equivalent of a
 20 Class C instruction driver permit issued to the person. For the purpose of this subsection, a person
 21 is a resident of this state if the person meets the residency requirements described in ORS 807.062.
 22 A person operating a motor vehicle under authority of this subsection has the same privileges and
 23 is subject to the same restrictions as a person operating under the authority of a Class C instruction
 24 driver permit issued as provided in ORS 807.280.

25 (18) A person may operate an electric personal assistive mobility device without any grant of
 26 driving privileges if the person is 16 years of age or older.

27 **SECTION 6.** ORS 803.525 is amended to read:

28 803.525. The Department of Transportation shall issue two registration plates for every vehicle
 29 that is registered by the department except as otherwise provided in this section or ORS 803.530.
 30 Upon renewal or when otherwise provided under ORS 803.555, the department may issue stickers in
 31 lieu of or in addition to registration plates. The following shall be issued plates as described:

32 (1) Only one registration plate shall be issued for a moped, motorcycle, trailer, antique vehicle
 33 or vehicle of special interest registered by the department.

34 (2) Only one plate shall be issued for a camper **or Class I, Class III or Class IV all-terrain**
 35 **vehicle** that is registered. Stickers may be issued in lieu of a plate.

36 **SECTION 7.** ORS 806.020 is amended to read:

37 806.020. This section provides exemptions from the necessity for compliance with or proof of
 38 compliance with financial responsibility requirements in accident reports under ORS 811.725, when
 39 applying for vehicle registration under ORS 803.370 or 803.460 and for operating a vehicle under
 40 ORS 806.010. The owner or operator of a vehicle is exempt, as provided by this section, from finan-
 41 cial responsibility requirements if the vehicle involved in the accident, sought to be registered or
 42 operated is any of the following:

43 (1) An antique vehicle issued permanent registration under ORS 805.010.

44 (2) A farm trailer.

45 (3) A farm tractor.

1 (4) An implement of husbandry.

2 (5) A vehicle of special interest that is maintained as a collector's item and used for exhibitions,
3 parades, club activities and similar uses, but not used primarily for the transportation of persons
4 or property.

5 (6) A snowmobile or a Class I, Class III or Class IV all-terrain vehicle, unless the vehicle is
6 operating on an all-terrain vehicle highway access route that is designated by the Oregon Trans-
7 portation Commission as open to all-terrain vehicles **or on a highway as permitted under section**
8 **2 of this 2023 Act.**

9 (7) Any motor vehicle not operated on any highway or premises open to the public in this state.

10 (8) A motor assisted scooter.

11 (9) An electric personal assistive mobility device.

12 **SECTION 8.** ORS 815.110 is amended to read:

13 815.110. This section establishes requirements for ORS 815.115. The requirements under this
14 section are in addition to any other requirements for lighting equipment provided by law. Except
15 as specifically provided by an exemption under ORS 815.120, a person violates ORS 815.115 if the
16 person does not comply with any of the following requirements:

17 (1) The following types of vehicles must display slow-moving vehicle emblems described under
18 ORS 815.060:

19 (a) Vehicles or combinations of vehicles designed for customary use at speeds of less than 25
20 miles per hour.

21 (b) Golf carts or similar vehicles when operated by a person with a disability.

22 (c) [*Class I, Class II and Class IV*] All-terrain vehicles operated on a highway under ORS
23 821.191 (1) **or section 2 of this 2023 Act.**

24 (2) Slow-moving vehicle emblems must meet the requirements for such emblems established by
25 the Department of Transportation by rule under ORS 815.060.

26 (3) Slow-moving vehicle emblems shall be displayed on the rear of the power unit. When a
27 combination of vehicles is being operated in a manner that obscures the emblem mounted on the
28 power unit, an additional emblem shall be displayed on the rear of the rearmost vehicle in the
29 combination.

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