

SENATE AMENDMENTS TO SENATE BILL 889

By JOINT COMMITTEE ON TRANSPORTATION

May 24

- 1 On page 1 of the printed bill, line 2, after “ORS” insert “801.190,”.
2 Delete lines 4 through 31.
3 Delete page 2 and insert:
4 “**SECTION 1.** ORS 801.194 is amended to read:
5 “801.194. (1) ‘Class III all-terrain vehicle’ means a motorcycle that travels on two tires and that
6 is actually being operated off highway.
7 “(2) ‘Class IV all-terrain vehicle’ means any motorized vehicle that:
8 “(a) Travels on four or more **tires designed for off-road use only** [*pneumatic tires that are six*
9 *inches or more in width and that are designed for use on wheels with a rim diameter of 14 inches or*
10 *less*];
11 “(b) Is designed for or capable of cross-country travel on or immediately over land, water, sand,
12 snow, ice, marsh, swampland or other natural terrain;
13 “(c) Has nonstraddle seating;
14 “(d) Has a steering wheel for steering control;
15 “(e) Has a dry weight of [2,500] **3,500** pounds or less; [*and*]
16 “(f) Is [80] **75** inches wide or less at its widest point; **and**
17 “**(g) Was originally manufactured for off-road use only.**
18 “**SECTION 2.** ORS 801.190 is amended to read:
19 “801.190. ‘Class I all-terrain vehicle’ means a motorized, off-highway recreational vehicle that:
20 “(1) Is 50 inches or less in width;
21 “(2) Has a dry weight of 1,200 pounds or less;
22 “(3) Travels on three or more **tires designed for off-road use only** [*pneumatic tires that are six*
23 *inches or more in width and that are designed for use on wheels with a rim diameter of 14 inches or*
24 *less*];
25 “(4) Uses handlebars for steering;
26 “(5) Has a seat designed to be straddled for the operator; and
27 “(6) Is designed for or capable of cross-country travel on or immediately over land, water, sand,
28 snow, ice, marsh, swampland or other natural terrain.
29 “**SECTION 3.** ORS 821.040 is amended to read:
30 “821.040. (1) A person commits the offense of operation of an off-road vehicle without required
31 equipment if the person is operating a vehicle described in ORS 821.010 in an area described in ORS
32 821.020 and the vehicle is not equipped in compliance with all of the following:
33 “(a) The vehicle must be equipped with a muffler that meets the standards for noise emissions
34 established under ORS 821.030.
35 “(b) The vehicle must be equipped with brakes that meet the requirements established under

1 ORS 821.030.

2 *“(c) The vehicle must be equipped with a windshield wiper if the vehicle is equipped with a*
3 *windshield.]*

4 **“(c) When the vehicle is operated on a highway and the vehicle is equipped with a**
5 **windshield, the top edge of which is at least six inches above the steering wheel, the vehicle**
6 **must be equipped with a windshield wiper.**

7 **“(d) When the vehicle is operated off the highway and the vehicle is equipped with a**
8 **windshield, the windshield must be unobstructed.**

9 *“(d) (e) When the vehicle is operated on sand, the vehicle must be equipped with a flag that*
10 *meets the requirements established under ORS 821.030.*

11 *“(e) (f) The vehicle must be equipped with any safety equipment required under ORS 821.030.*

12 *“(f) (g) At any time from one-half hour after sunset to one-half hour after sunrise, the vehicle*
13 *must be equipped with and display headlights and taillights.*

14 **“(2) Motorcycles and mopeds are not required by this section to be equipped with windshield**
15 **wipers.**

16 **“(3) The offense described in this section, operation of off-road vehicle without required equip-**
17 **ment, is a Class C traffic violation.**

18 **“SECTION 4. The amendments to ORS 821.040 by section 3 of this 2023 Act apply to of-**
19 **fenses committed on or after the effective date of this 2023 Act.”.**

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