

Senate Bill 645

Sponsored by Senator KNOPP; Senator FINDLEY (Presession filed.)

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**.

Provides one month extension on use of studded tires for vehicles traveling in Deschutes County.

A BILL FOR AN ACT

1
2 Relating to studded tires; creating new provisions; and amending ORS 815.165.

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

4 **SECTION 1.** ORS 815.165 is amended to read:

5 815.165. This section establishes exemptions from ORS 815.160. The exemptions under this sec-
6 tion are in addition to any under ORS 801.026. Exemptions are partial or complete as described in
7 the following:

8 (1) Any vehicle on any way, thoroughfare or place owned by a district formed under ORS
9 chapters 545, 547, 551 or a corporation formed under ORS chapter 554.

10 (2) Any vehicle on any road or thoroughfare or property in private ownership or any road or
11 thoroughfare, other than a state highway or county road, used pursuant to any agreement with any
12 agency of the United States or with a licensee of such agency or both.

13 (3) Operations approved under a variance permit issued under ORS 818.200 are subject to the
14 terms of the permit. It shall be a defense to any charge of violation of ORS 815.160 if the person so
15 charged produces a variance permit issued under ORS 818.200 authorizing the operation issued prior
16 to and valid at the time of the offense.

17 (4) Vehicles actually engaged at the time in construction or repair of highways in this state.

18 (5) Traction engines moved upon dirt or unimproved roads.

19 (6) Vehicles equipped with chains as defined in ORS 815.045.

20 (7)(a) **Except as provided in paragraph (b) of this subsection**, between November 1 of any
21 year and April 1 of the following year, vehicles equipped with any tire having on its periphery studs
22 of metal or other material projecting beyond the tread surface of the tire not less than four-
23 hundredths (0.04) inch nor more than six-hundredths (0.06) inch and made of such material that the
24 studs will wear, through use, at the same rate as the tread surface of the tire. When the preserva-
25 tion of the highway surface or the safety of the traveling public so indicates, the Department of
26 Transportation shall have the authority to shorten or lengthen the period for the permissible use
27 of such tires in any area of the state specifically designated by the department.

28 **(b) Between November 1 of any year and May 1 of the following year, vehicles traveling**
29 **in Deschutes County and equipped with any tire having on its periphery studs of metal or**
30 **other material projecting beyond the tread surface of the tire not less than four-hundredths**
31 **(0.04) inch nor more than six-hundredths (0.06) inch and made of such material that the**

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 studs will wear, through use, at the same rate as the tread surface of the tire. When the
2 preservation of the highway surface or the safety of the traveling public so indicates, the
3 Department of Transportation shall have the authority to shorten or lengthen the period for
4 the permissible use of such tires in any area of Deschutes County specifically designated by
5 the department.

6 (8) School buses with a loaded weight of 10,000 pounds or more.

7 (9) Emergency vehicles and ambulances used in an emergency situation.

8 (10) Motor vehicles used for regularly scheduled medical transport services.

9 (11) The owner or lessee of any land adjoining any highway may move across or along the
10 highway any tractor or implement of husbandry for the purpose of planting, cultivating, caring for
11 or harvesting any crop, on condition that the owner or lessee shall be liable to the State of Oregon
12 for the benefit of the State Highway Fund with respect to state highways, or to the proper county
13 for the benefit of the county road fund with respect to county highways, for any damage or injury
14 done to the highway by the movement.

15 (12) Vehicles equipped with retractable studded tires as defined in ORS 815.045.

16 **SECTION 2. The amendments to ORS 815.165 by section 1 of this 2023 Act apply to of-**
17 **fenses committed on or after the effective date of this 2023 Act.**

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