

Requested by Representative LEVY E

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4103**

1 On page 1 of the printed bill, line 2, after “bicycles;” delete the rest of  
2 the line and delete line 3 and insert “amending ORS 801.150, 801.258 and  
3 807.020.”.

4 Delete lines 5 through 26 and delete pages 2 through 4 and insert:

5 **“SECTION 1.** ORS 801.258 is amended to read:

6 “801.258. [*Electric assisted bicycle*’ means a vehicle that:]

7 “[*(1) Is designed to be operated on the ground on wheels;*]

8 “[*(2) Has a seat or saddle for use of the rider;*]

9 “[*(3) Is designed to travel with not more than three wheels in contact with*  
10 *the ground;*]

11 “[*(4) Has both fully operative pedals for human propulsion and an electric*  
12 *motor; and*]

13 “[*(5) Is equipped with an electric motor that;*]

14 “[*(a) Has a power output of not more than 1,000 watts; and*]

15 “[*(b) Is incapable of propelling the vehicle at a speed of greater than 20*  
16 *miles per hour on level ground.*]

17 **“(1) ‘Class 1 electric assisted bicycle’ means an electric assisted bi-**  
18 **cycle that:**

19 **“(a) Provides assistance only when the rider is pedaling; and**

20 **“(b) Ceases to provide assistance when the bicycle reaches the speed**  
21 **of 20 miles per hour.**

1       **“(2) ‘Class 2 electric assisted bicycle’ means an electric assisted bi-**  
2 **cycle that:**

3       **“(a) May be propelled by its motor without a rider pedaling; and**

4       **“(b) Ceases to provide assistance once the bicycle reaches a speed**  
5 **of 20 miles per hour.**

6       **“(3) ‘Class 3 electric assisted bicycle’ means an electric assisted bi-**  
7 **cycle that:**

8       **“(a) Provides assistance only when the rider is pedaling;**

9       **“(b) Ceases to provide assistance when the bicycle reaches the speed**  
10 **of 28 miles per hour; and**

11       **“(c) Is equipped with a speedometer.**

12       **“(4) ‘Electric assisted bicycle’ means a bicycle that is equipped with**  
13 **an electric motor and that is a Class 1 electric assisted bicycle, a Class**  
14 **2 electric assisted bicycle or a Class 3 electric assisted bicycle.**

15       **“SECTION 2.** ORS 801.150 is amended to read:

16       “801.150. ‘Bicycle’ means a vehicle that:

17       “(1) Is designed to be operated on the ground on wheels;

18       “(2) Has a seat or saddle for use of the rider;

19       “(3) Is designed to travel with not more than three wheels in contact with  
20 the ground;

21       “(4) Is propelled exclusively by human power; [*and*]

22       “(5) Has every wheel more than 14 inches in diameter or two tandem  
23 wheels either of which is more than 14 inches in diameter[.]; **and**

24       **“(6) Is equipped with pedals.**

25       **“SECTION 3.** ORS 807.020 is amended to read:

26       “807.020. A person who is granted a driving privilege by this section may  
27 exercise the driving privilege described without violation of the requirements  
28 under ORS 807.010. A grant of driving privileges to operate a motor vehicle  
29 under this section is subject to suspension and revocation the same as other  
30 driving privileges granted under the vehicle code. This section is in addition

1 to any exemptions from the vehicle code under ORS 801.026. The following  
2 persons are granted the described driving privileges:

3 “(1) A person who is not a resident of this state or who has been a resi-  
4 dent of this state for less than 30 days may operate a motor vehicle without  
5 an Oregon license or driver permit if the person holds a current out-of-state  
6 license issued to the person. For the purpose of this subsection, a person is  
7 a resident of this state if the person meets the residency requirements de-  
8 scribed in ORS 807.062. To qualify under this subsection, the person must  
9 have the out-of-state license or driver permit in the person’s possession. A  
10 person is not granted driving privileges under this subsection:

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

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

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

18 “(2) A person who is a member of the Armed Forces of the United States  
19 or a member of the commissioned corps of the National Oceanic and Atmo-  
20 spheric Administration may operate a motor vehicle without an Oregon li-  
21 cense or driver permit if the person is operating a motor vehicle in the  
22 course of the person’s duties in the Armed Forces or the National Oceanic  
23 and Atmospheric Administration.

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

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

29 “(5) A person without a license or driver permit may operate a motor  
30 vehicle to demonstrate driving ability during the course of an examination

1 administered under ORS 807.070 for the purpose of qualifying for a license  
2 or driver permit. This subsection only applies when an authorized examiner  
3 is in a seat beside the driver of the motor vehicle.

4 “(6) Driving privileges for snowmobiles are exclusively as provided in  
5 ORS 821.150.

6 “(7) Driving privileges for Class I all-terrain vehicles are exclusively as  
7 provided in ORS 821.170, unless a person is operating a Class I all-terrain  
8 vehicle on an all-terrain vehicle highway access route that is designated by  
9 the Oregon Transportation Commission as open to all-terrain vehicles.

10 “(8) Driving privileges for Class III all-terrain vehicles are exclusively as  
11 provided in ORS 821.172, unless a person is operating a Class III all-terrain  
12 vehicle on an all-terrain vehicle highway access route that is designated by  
13 the commission as open to all-terrain vehicles.

14 “(9) Driving privileges for Class IV all-terrain vehicles are exclusively as  
15 provided in ORS 821.176, unless a person is operating a Class IV all-terrain  
16 vehicle on an all-terrain vehicle highway access route that is designated by  
17 the commission as open to all-terrain vehicles.

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

20 “(11) The spouse of a member of the Armed Forces of the United States  
21 on active duty or the spouse of a member of the commissioned corps of the  
22 National Oceanic and Atmospheric Administration who is accompanying the  
23 member on assignment in this state may operate a motor vehicle if the  
24 spouse has a current out-of-state license or driver permit issued to the spouse  
25 by another state in the spouse’s possession.

26 “(12) A person who is a member of the Armed Forces of the United States  
27 on active duty or a member of the commissioned corps of the National  
28 Oceanic and Atmospheric Administration may operate a motor vehicle if the  
29 person has a current out-of-state license or driver permit in the person’s  
30 possession that is issued to the person by the person’s state of domicile or

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

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

7 “(a) Within an enclosed cab;

8 “(b) Operating a vehicle designed to travel with three wheels in contact  
9 with the ground at 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*  
12 *without any grant of driving privileges.*]

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

15 “**(14) Except as provided in subsection (15) of this section, a person**  
16 **may operate a bicycle without any grant of driving privileges.**

17 “**(15) A person may operate the following without any grant of**  
18 **driving privileges if the person is 16 years of age or older:**

19 “**(a) A Class 1 electric assisted bicycle;**

20 “**(b) A Class 2 electric assisted bicycle; or**

21 “**(c) A Class 3 electric assisted bicycle.**

22 “(16) A person may operate a motor assisted scooter without a driver li-  
23 cense or driver permit if the person is 16 years of age or older.

24 “(17) A person who is not a resident of this state or who has been a res-  
25 ident of this state for less than 30 days may operate a motor vehicle without  
26 an Oregon license or driver permit if the person is at least 15 years of age  
27 and has in the person’s possession a current out-of-state equivalent of a Class  
28 C instruction driver permit issued to the person. For the purpose of this  
29 subsection, a person is a resident of this state if the person meets the resi-  
30 dency requirements described in ORS 807.062. A person operating a motor

1 vehicle under authority of this subsection has the same privileges and is  
2 subject to the same restrictions as a person operating under the authority  
3 of a Class C instruction driver permit issued as provided in ORS 807.280.

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

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