

**HB 2232 A STAFF MEASURE SUMMARY**

Carrier: Rep. Osborne

**Joint Committee On Transportation****Action Date:** 02/18/25**Action:** Do pass with amendments. (Printed A-Eng.)**House Vote****Yeas:** 7 - Boshart Davis, Evans, Gamba, Helfrich, Mannix, McLain, Nathanson**Senate Vote****Yeas:** 5 - Gorsek, Meek, Pham, Starr, Weber**Fiscal:** No fiscal impact**Revenue:** No revenue impact**Prepared By:** Patrick Brennan, LPRO Analyst**Meeting Dates:** 2/10, 2/18**WHAT THE MEASURE DOES:**

The measure replaces responsibility for adopting rules related to certain all-terrain vehicle (ATV) equipment and noise emission standards from the Oregon Department of Transportation and Oregon Department of Environmental Quality to the Oregon Department of Parks and Recreation. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Oregon Parks and Recreation Department (OPRD) wants responsibility for rulemaking in these categories
- Factors that make OPRD the right fit for the authority
- Continuing problem in many areas with regard to noise pollution associated with all-terrain vehicles

**EFFECT OF AMENDMENT:**

The amendment makes the Oregon Parks and Recreation Department, rather than the Oregon Department of Environmental Quality, responsible for establishing applicable noise emission standards, procedures for testing noise levels, and regulations for motor sports vehicles and facilities regulations, with regard to the offense of operating an improperly equipped all-terrain vehicle.

**BACKGROUND:**

All-terrain vehicles, or ATVs, come in several classes:

- Class I ATVs are generally three- or four-wheeled, weigh less than 1,200 pounds, and 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 offroad motorcycles.
- Class IV ATVs, often called side-by-sides or utility terrain vehicles, are smaller than Class IIs but typically have a similar structure, such as steering wheels and non-straddle steering.

State statute currently designates the Oregon Department of Transportation (ODOT) as the state agency responsible for adopting rules regarding ATV brake systems, flags for ATVs to display while operating on sand, or other safety equipment requirements for ATVs to lawfully operate off-road on public lands in Oregon (ORS 821.030). That same chapter also designates the Oregon Department of Environmental Quality (DEQ) to adopt standards for ATV noise emissions. House Bill 2232 A authorizes the Oregon Parks and Recreation Department (OPRD), rather than DEQ and ODOT, to adopt rules regarding these regulations. The measure also grants OPRD rulemaking responsibility for the offense of operating an improperly equipped all-terrain vehicle with regard to noise emission standards.