

Senate Bill 471

Sponsored by Senator PROZANSKI (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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that people may not ride Class 3 e-bikes on bike lanes, sidewalks or bike paths under the OVC. (Flesch Readability Score: 80.7).

Prohibits operating a Class 3 electric assisted bicycle on a sidewalk, bicycle lane or bicycle path.

A BILL FOR AN ACT

1
2 Relating to Class 3 electric assisted bicycles; creating new provisions; and amending ORS 811.050,
3 811.435, 811.440, 814.210, 814.410, 814.420 and 814.430.

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

5 **SECTION 1.** ORS 814.210 is amended to read:

6 814.210. (1) A person commits the offense of operation of a moped on a sidewalk or bicycle trail
7 if the person operates a moped **or a Class 3 electric assisted bicycle** upon a sidewalk, a bicycle
8 path or a bicycle lane.

9 (2) Exemptions to this section are provided under ORS 811.440.

10 (3) The offense described in this section, operation of a moped on a sidewalk or bicycle trail, is
11 a Class D traffic violation.

12 **SECTION 2.** ORS 811.050 is amended to read:

13 811.050. (1) **As used in this section, "bicycle" does not include a Class 3 electric assisted**
14 **bicycle.**

15 [(1)] (2) A person commits the offense of failure of a [*motor*] vehicle operator to yield to a rider
16 on a bicycle lane if the person is operating a [*motor*] vehicle and the person does not yield the right
17 of way to a person operating a bicycle, electric assisted bicycle, electric personal assistive mobility
18 device, moped, motor assisted scooter or motorized wheelchair upon a bicycle lane.

19 [(2)] (3) This section does not require a person operating a moped **or a Class 3 electric assisted**
20 **bicycle** to yield the right of way to a bicycle or a motor assisted scooter if the moped **or the Class**
21 **3 electric assisted bicycle** is operated on a bicycle lane in the manner permitted under ORS
22 811.440.

23 [(3)] (4) The offense described in this section, failure of a [*motor*] vehicle operator to yield to a
24 rider on a bicycle lane, is a Class B traffic violation.

25 **SECTION 3.** ORS 811.440 is amended to read:

26 811.440. This section provides exemptions from the prohibitions under ORS 811.435 and 814.210
27 against operating [*motor*] vehicles on bicycle lanes and paths. The following vehicles are not subject
28 to ORS 811.435 and 814.210 under the circumstances described:

29 (1) A person may operate a moped **or a Class 3 electric assisted bicycle** on a bicycle lane that
30 is immediately adjacent to the roadway only while the moped **or the Class 3 electric assisted bi-**

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 **cycle** is being exclusively powered by human power.

2 (2) A person may operate a [motor] vehicle upon a bicycle lane when:

3 (a) Making a turn;

4 (b) Entering or leaving an alley, private road or driveway; or

5 (c) Required in the course of official duty.

6 (3) An implement of husbandry may momentarily cross into a bicycle lane to permit other vehi-
7 cles to overtake and pass the implement of husbandry.

8 (4) A person may operate a motorized wheelchair on a bicycle lane or path.

9 (5) A person may operate a motor assisted scooter on a bicycle lane or path.

10 (6) A person may operate an electric personal assistive mobility device on a bicycle lane or path.

11 **SECTION 4.** ORS 814.420 is amended to read:

12 814.420. (1) Except as provided in subsections (2) and (3) of this section, a person commits the
13 offense of failure to use a bicycle lane or path if the person operates a bicycle on any portion of a
14 roadway that is not a bicycle lane or bicycle path when a bicycle lane or bicycle path is adjacent
15 to or near the roadway.

16 (2) A person is not required to comply with this section unless the state or local authority with
17 jurisdiction over the roadway finds, after public hearing, that the bicycle lane or bicycle path is
18 suitable for safe bicycle use at reasonable rates of speed.

19 (3) A person is not in violation of the offense under this section if the person is able to safely
20 move out of the bicycle lane or path for the purpose of:

21 (a) Overtaking and passing another bicycle, a vehicle or a pedestrian that is in the bicycle lane
22 or path and passage cannot safely be made in the lane or path.

23 (b) Preparing to execute a left turn at an intersection or into a private road or driveway.

24 (c) Avoiding debris or other hazardous conditions.

25 (d) Preparing to execute a right turn where a right turn is authorized.

26 (e) Continuing straight at an intersection where the bicycle lane or path is to the right of a lane
27 from which a motor vehicle must turn right.

28 **(4) This section applies only to bicycles that are not Class 3 electric assisted bicycles.**
29 **ORS 814.210 prohibits Class 3 electric assisted bicycles from operating on a bicycle path or**
30 **bicycle lane, except when authorized to use bicycle lanes under ORS 811.440.**

31 [(4)] (5) The offense described in this section, failure to use a bicycle lane or path, is a Class
32 D traffic violation.

33 **SECTION 5.** ORS 814.430 is amended to read:

34 814.430. (1) A person commits the offense of improper use of lanes by a bicycle if the person is
35 operating a bicycle on a roadway at less than the normal speed of traffic using the roadway at that
36 time and place under the existing conditions and the person does not ride as close as practicable
37 to the right curb or edge of the roadway.

38 (2) A person is not in violation of the offense under this section if the person is not operating
39 a bicycle as close as practicable to the right curb or edge of the roadway under any of the following
40 circumstances:

41 (a) When overtaking and passing another bicycle or vehicle that is proceeding in the same di-
42 rection.

43 (b) When preparing to execute a left turn.

44 (c) When reasonably necessary to avoid hazardous conditions including, but not limited to, fixed
45 or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or

1 other conditions that make continued operation along the right curb or edge unsafe or to avoid
 2 unsafe operation in a lane on the roadway that is too narrow for a bicycle and vehicle to travel
 3 safely side by side. Nothing in this paragraph excuses the operator of a bicycle from the require-
 4 ments under ORS 811.425 or from the penalties for failure to comply with those requirements.

5 (d) When operating within a city as near as practicable to the left curb or edge of a roadway
 6 that is designated to allow traffic to move in only one direction along the roadway. A bicycle that
 7 is operated under this paragraph is subject to the same requirements and exceptions when operating
 8 along the left curb or edge as are applicable when a bicycle is operating along the right curb or
 9 edge of the roadway.

10 (e) When operating a bicycle alongside not more than one other bicycle as long as the bicycles
 11 are both being operated within a single lane and in a manner that does not impede the normal and
 12 reasonable movement of traffic.

13 (f) When operating on a bicycle lane or bicycle path. **The exception provided in this para-**
 14 **graph applies to a person riding a Class 3 electric assisted bicycle only when the bicycle is**
 15 **powered exclusively by human power.**

16 (3) The offense described in this section, improper use of lanes by a bicycle, is a Class D traffic
 17 violation.

18 **SECTION 6.** ORS 811.435 is amended to read:

19 811.435. (1) A person commits the offense of operation of a motor vehicle on a bicycle trail if
 20 the person operates a motor vehicle upon a bicycle lane or a bicycle path.

21 (2) Exemptions to this section are provided under ORS 811.440.

22 (3) This section is not applicable to mopeds **and Class 3 electric assisted bicycles.** ORS 811.440
 23 and 814.210 control the operation and use of mopeds **and Class 3 electric assisted bicycles** on bi-
 24 cycle lanes and paths.

25 (4) The offense described in this section, operation of a motor vehicle on a bicycle trail, is a
 26 Class B traffic violation.

27 **SECTION 7.** ORS 814.410 is amended to read:

28 814.410. (1) A person commits the offense of unsafe operation of a bicycle on a sidewalk if the
 29 person does any of the following:

30 (a) Operates the bicycle so as to suddenly leave a curb or other place of safety and move into
 31 the path of a vehicle that is so close as to constitute an immediate hazard.

32 (b) Operates a bicycle upon a sidewalk and does not give an audible warning before overtaking
 33 and passing a pedestrian and does not yield the right of way to all pedestrians on the sidewalk.

34 (c) Operates a bicycle on a sidewalk in a careless manner that endangers or would be likely to
 35 endanger any person or property.

36 (d) Operates the bicycle at a speed greater than an ordinary walk when approaching or entering
 37 a crosswalk, approaching or crossing a driveway or crossing a curb cut or pedestrian ramp and a
 38 motor vehicle is approaching the crosswalk, driveway, curb cut or pedestrian ramp. This paragraph
 39 does not require reduced speeds for bicycles at places on sidewalks or other pedestrian ways other
 40 than places where the path for pedestrians or bicycle traffic approaches or crosses that for motor
 41 vehicle traffic.

42 (e) Operates [*an*] **a Class 1 electric assisted bicycle or a Class 2** electric assisted bicycle on
 43 a sidewalk.

44 **(2) This section is not applicable to Class 3 electric assisted bicycles. ORS 814.210 controls**
 45 **the operation of Class 3 electric assisted bicycles on sidewalks.**

1 [(2)] (3) Except as otherwise specifically provided by law, a bicyclist on a sidewalk or in a
2 crosswalk has the same rights and duties as a pedestrian on a sidewalk or in a crosswalk.

3 [(3)] (4) The offense described in this section, unsafe operation of a bicycle on a sidewalk, is a
4 Class D traffic violation.

5 **SECTION 8. The amendments to ORS 811.050, 811.435, 811.440, 814.210, 814.410, 814.420 and**
6 **814.430 by sections 1 to 7 of this 2025 Act apply to conduct occurring on or after the effective**
7 **date of this 2025 Act.**

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