

HB 4007 A STAFF MEASURE SUMMARY

Joint Committee On Ways and Means

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Meeting Dates: 2/26, 2/27

WHAT THE MEASURE DOES:

The measure defines “powered micromobility devices,” sets age requirements and other requirements for them, establishes new violations and penalties, and allows local governments to regulate their use on their facilities. The measure also directs the Oregon Department of Transportation (ODOT) to establish a new five-year pilot program for overweight milk trucks, and it delays a report on the Highway Cost Allocation Study. The measure takes effect on the 91st day following adjournment sine die.

Detailed Summary:

Powered Micromobility Devices (Sections 1–26)

Specifies that powered micromobility devices are not generally subject to the Oregon Vehicle Code. Authorizes local governments to regulate or prohibit the use of such devices on sidewalks, trails, and streets under their jurisdiction by ordinance or rule. Exempts such devices from title, registration, and financial responsibility requirements. Modifies the minimum age to operate Class 1 electric assist bicycles from 16 to 14 years old and sets the minimum age to operate motor-assisted scooters or electric personal assistive devices at 14 years old, while allowing use of all other electric micromobility devices by people age 16 and older, with the exception of motorized wheelchairs, which can be operated by people of any age. Adds operators of powered mobility devices to an offense of failure of a motor vehicle operator to yield to a rider in a bicycle lane, and permits operation of powered mobility devices in bicycle lanes and paths. Clarifies applicability of helmet rules for riders under age 16 of bicycles, motor-assisted scooters, electric personal assistive mobility devices, skateboards, nonmotorized scooters, and inline skates, and stipulates that the first citation can be waived with proof of protective headgear. Creates an offense of improper sale or lease of a vehicle if a person sells or leases a new storage battery or charging system not certified by a properly accredited testing laboratory, and designates the offense as a Class D traffic violation. Creates an offense of selling an impostor vehicle if it is identified as an electric assist bicycle, motor-assisted scooter, or powered micromobility device without meeting the statutory definition of such device, and designates the offense as a Class D traffic violation.

Milk Trucks (Sections 26–29)

Directs ODOT to perform a study for, and subsequently implement, a five-year pilot program for allowing commercial motor vehicles up to 129,000 pounds to transport fluid milk products on select highways in Oregon. Provides guidance to ODOT on route selection. Authorizes issuance of permits and empowers ODOT to specify terms and conditions. Requires a report to the Joint Committee on Transportation and the Oregon Transportation Commission on the pilot program’s results by September 15, 2032. Repeals the pilot program on January 2, 2033.

Highway Cost Allocation Study (Sections 30–31)

Delays the date of the required report by the Department of Administrative Services regarding recommended process changes to the biennial Highway Cost Allocation Study from June 30, 2026, to March 15, 2028. Postpones the sunset for the study requirement from January 2, 2027, to January 2, 2029.

ISSUES DISCUSSED:

- Growing use of powered micromobility devices among adults and children, and the need for clearer regulations

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- Varying state regulations regarding powered micromobility devices
- Unregulated “e-moto” devices causing confusion for electric-assisted bicycle owners
- Whether current rider behavior matches the proposed regulations
- Whether to repeal the religious exemption for bicycle helmets
- Milk trucks and interstate commerce

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The term “micromobility” refers to a range of small personal vehicles that typically convey one or two individuals. They generally operate at speeds below 30 miles per hour, weigh less than 500 pounds, and operate with human power or electric power. Common examples of micromobility devices include bicycles and scooters. The devices can be privately owned and operated or part of a shared fleet. The Federal Highway Administration has estimated that there are over 260 shared mobility systems in existence as of August 2020, including docked and dockless bikeshare and e-scooter systems.

Micromobility devices are often considered a solution to the “last mile” problem, as they provide a supplemental mode of transportation to public transportation and automobiles in commuter traffic and urban areas. A rider who takes a commuter rail or light rail line to the station or stop closest to their final destination, for example, could use a micromobility device to reach their destination, through rental of a dockless e-scooter, for example. Micromobility also offers an alternative to walking in urban environments for residents who do not own a car or prefer to make some trips without one.

Oregon Revised Statutes Chapter 818 outlines the maximum allowable size for all types of vehicles traveling on public roads in the state. These limits are generally calculated based on the number of axles of the transport vehicle and the distance between the first and last axles. Violation of these statutory maximums is punishable as a Class A traffic violation, with fines determined by the amount of excess weight. Certain vehicles are exempted from these weight limits or are subject to a separate weight schedule than most vehicles; in addition, a vehicle operator may obtain a variance permit from ODOT that allows the operation of vehicles that exceed weight, size, or other related requirements.

The biennial Highway Cost Allocation Study is conducted by the Office of Economic Analysis within the Department of Administrative Services. Its purpose is to review the impacts on the statewide road system caused by light-, medium-, and heavy-duty vehicles, and to determine the appropriate cost-sharing ratio for maintenance and modernization of the system for each class of vehicles. This data is subsequently used to adjust the weight-mile tax paid by heavy vehicles to maintain cost responsibility between the various classes. House Bill 3991 (2025 First Special Session) directed the Department of Administrative Services to review and consider changes to the Highway Cost Allocation Study process and make recommendations to the legislature on statutory modifications by June 30, 2026.