

SB 106 STAFF MEASURE SUMMARY

Joint Committee On Transportation

Prepared By: Patrick Brennan, LPRO Analyst

Meeting Dates: 2/23

WHAT THE MEASURE DOES:

Creates the offense of failure to carry an all-terrain vehicle operator permit or to present said permit to police officer, punishable by maximum fine of \$500. Requires persons operating Class IV all-terrain vehicles who are age 16 or older to carry and present both a valid driver license and all-terrain vehicle operator permit. Requires persons operating Class IV all-terrain vehicles to complete a safety education course, or pass an equivalency examination, to obtain an all-terrain vehicle operator permit. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

All-terrain vehicles, or ATVs, come in several classes: Class I ATVs are generally three- or four-wheeled, weigh less than 1,200 lbs., 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 off-road motorcycles; and Class IV ATVs, often called side-by-sides or utility terrain vehicles, are smaller than Class IIs but typically have similar structure, such as non-straddle seating and steering wheels. ATVs are required to be licensed with the Oregon Parks and Recreation Department (OPRD) for operation on public lands, but typically are not authorized for on-road use.

The Oregon Parks and Recreation Department (OPRD) currently requires all individuals to obtain an ATV Safety Education Card in order to lawfully operate Class I or Class III ATVs on public lands; for Class IV ATVs, the requirement applies only to persons under the age of 16.

Senate Bill 106 requires that anyone operating a Class IV ATV, regardless of age, must first obtain a Safety Education Card in order to lawfully operate on public lands. The measure also creates the offense of failure to carry an ATV operator permit or to present the permit to a police officer upon request. Persons over 16 years of age operating a Class II or Class IV ATV on public lands must also carry a valid driver license.