

# D R A F T

## SUMMARY

Modifies definition of “Class IV all-terrain vehicle.” Removes requirement that certain off-road vehicles be equipped with windshield wipers.

### A BILL FOR AN ACT

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Relating to off-road vehicles; creating new provisions; and amending ORS 801.194 and 821.040.

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

**SECTION 1.** ORS 801.194 is amended to read:

801.194. (1) “Class III all-terrain vehicle” means a motorcycle that travels on two tires and that is actually being operated off highway.

(2) “Class IV all-terrain vehicle” means any motorized vehicle that:

(a) Travels on four or more pneumatic tires [*that are six inches or more in width and that are designed for use on wheels with a rim diameter of 14 inches or less*];

(b) Is designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain;

(c) Has nonstraddle seating;

(d) Has a steering wheel for steering control;

(e) Has a dry weight of 2,500 pounds or less; [*and*]

(f) Is 80 inches wide or less at its widest point[.]; **and**

**(g) If the vehicle has a combustion engine, has an engine with a piston or rotor displacement of not more than 1,000 cubic centimeters.**

**SECTION 2.** ORS 821.040 is amended to read:

1 821.040. (1) A person commits the offense of operation of an off-road ve-  
2 hicle without required equipment if the person is operating a vehicle de-  
3 scribed in ORS 821.010 in an area described in ORS 821.020 and the vehicle  
4 is not equipped in compliance with all of the following:

5 (a) The vehicle must be equipped with a muffler that meets the standards  
6 for noise emissions established under ORS 821.030.

7 (b) The vehicle must be equipped with brakes that meet the requirements  
8 established under ORS 821.030.

9 *[(c) The vehicle must be equipped with a windshield wiper if the vehicle is*  
10 *equipped with a windshield.]*

11 **(c) If the vehicle is equipped with a windshield, the windshield must**  
12 **be unobstructed.**

13 (d) When the vehicle is operated on sand, the vehicle must be equipped  
14 with a flag that meets the requirements established under ORS 821.030.

15 (e) The vehicle must be equipped with any safety equipment required un-  
16 der ORS 821.030.

17 (f) At any time from one-half hour after sunset to one-half hour after  
18 sunrise, the vehicle must be equipped with and display headlights and  
19 taillights.

20 (2) Motorcycles and mopeds are not required by this section to be  
21 equipped with windshield wipers.

22 (3) The offense described in this section, operation of off-road vehicle  
23 without required equipment, is a Class C traffic violation.

24 **SECTION 3. The amendments to ORS 821.040 by section 2 of this**  
25 **2023 Act apply to offenses committed on or after the effective date of**  
26 **this 2023 Act.**

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