

A-Engrossed
Senate Bill 889

Ordered by the Senate May 24
Including Senate Amendments dated May 24

Sponsored by COMMITTEE ON NATURAL RESOURCES

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.

[Modifies definition of "Class IV all-terrain vehicle."]

Modifies definitions of "Class I all-terrain vehicle" and "Class IV all-terrain vehicle." Removes requirement that certain off-road vehicles be equipped with windshield wipers **when vehicle is operated off highway. Requires off-road vehicles operated on highway and equipped with windshield, top edge of which is at least six inches above steering wheel, to be equipped with windshield wiper.**

A BILL FOR AN ACT

1
2 Relating to off-road vehicles; creating new provisions; and amending ORS 801.190, 801.194 and
3 821.040.

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

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

6 801.194. (1) "Class III all-terrain vehicle" means a motorcycle that travels on two tires and that
7 is actually being operated off highway.

8 (2) "Class IV all-terrain vehicle" means any motorized vehicle that:

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

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

14 (c) Has nonstraddle seating;

15 (d) Has a steering wheel for steering control;

16 (e) Has a dry weight of *[2,500]* **3,500** pounds or less; *[and]*

17 (f) Is *[80]* **75** inches wide or less at its widest point; **and**

18 **(g) Was originally manufactured for off-road use only.**

19 **SECTION 2.** ORS 801.190 is amended to read:

20 801.190. "Class I all-terrain vehicle" means a motorized, off-highway recreational vehicle that:

21 (1) Is 50 inches or less in width;

22 (2) Has a dry weight of 1,200 pounds or less;

23 (3) Travels on three or more **tires designed for off-road use only** *[pneumatic tires that are six*
24 *inches or more in width and that are designed for use on wheels with a rim diameter of 14 inches or*
25 *less];*

26 (4) Uses handlebars for steering;

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 (5) Has a seat designed to be straddled for the operator; and

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

4 **SECTION 3.** ORS 821.040 is amended to read:

5 821.040. (1) A person commits the offense of operation of an off-road vehicle without required
6 equipment if the person is operating a vehicle described in ORS 821.010 in an area described in ORS
7 821.020 and the vehicle is not equipped in compliance with all of the following:

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

10 (b) The vehicle must be equipped with brakes that meet the requirements established under ORS
11 821.030.

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

14 (c) **When the vehicle is operated on a highway and the vehicle is equipped with a**
15 **windshield, the top edge of which is at least six inches above the steering wheel, the vehicle**
16 **must be equipped with a windshield wiper.**

17 (d) **When the vehicle is operated off the highway and the vehicle is equipped with a**
18 **windshield, the windshield must be unobstructed.**

19 [(d)] (e) When the vehicle is operated on sand, the vehicle must be equipped with a flag that
20 meets the requirements established under ORS 821.030.

21 [(e)] (f) The vehicle must be equipped with any safety equipment required under ORS 821.030.

22 [(f)] (g) At any time from one-half hour after sunset to one-half hour after sunrise, the vehicle
23 must be equipped with and display headlights and taillights.

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

26 (3) The offense described in this section, operation of off-road vehicle without required equip-
27 ment, is a Class C traffic violation.

28 **SECTION 4. The amendments to ORS 821.040 by section 3 of this 2023 Act apply to of-**
29 **fenses committed on or after the effective date of this 2023 Act.**

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