

## HOUSE AMENDMENTS TO HOUSE BILL 4103

By JOINT COMMITTEE ON TRANSPORTATION

February 26

1 On page 1 of the printed bill, line 2, after “bicycles;” delete the rest of the line and delete line  
2 3 and insert “amending ORS 801.150, 801.258 and 807.020.”

3 Delete lines 5 through 26 and delete pages 2 through 4 and insert:

4 “**SECTION 1.** ORS 801.258 is amended to read:

5 “801.258. [*Electric assisted bicycle*’ means a vehicle that:]

6 “[*(1) Is designed to be operated on the ground on wheels;*]

7 “[*(2) Has a seat or saddle for use of the rider;*]

8 “[*(3) Is designed to travel with not more than three wheels in contact with the ground;*]

9 “[*(4) Has both fully operative pedals for human propulsion and an electric motor; and*]

10 “[*(5) Is equipped with an electric motor that:*]

11 “[*(a) Has a power output of not more than 1,000 watts; and*]

12 “[*(b) Is incapable of propelling the vehicle at a speed of greater than 20 miles per hour on level*  
13 *ground.*]

14 “(1) **‘Class 1 electric assisted bicycle’ means an electric assisted bicycle that:**

15 “**(a) Provides assistance only when the rider is pedaling; and**

16 “**(b) Ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.**

17 “(2) **‘Class 2 electric assisted bicycle’ means an electric assisted bicycle that:**

18 “**(a) May be propelled by its motor without a rider pedaling; and**

19 “**(b) Ceases to provide assistance once the bicycle reaches a speed of 20 miles per hour.**

20 “(3) **‘Class 3 electric assisted bicycle’ means an electric assisted bicycle that:**

21 “**(a) Provides assistance only when the rider is pedaling;**

22 “**(b) Ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour;**

23 **and**

24 “**(c) Is equipped with a speedometer.**

25 “(4) **‘Electric assisted bicycle’ means a bicycle that is equipped with an electric motor**  
26 **and that is a Class 1 electric assisted bicycle, a Class 2 electric assisted bicycle or a Class 3**  
27 **electric assisted bicycle.**

28 “**SECTION 2.** ORS 801.150 is amended to read:

29 “801.150. ‘Bicycle’ means a vehicle that:

30 “(1) Is designed to be operated on the ground on wheels;

31 “(2) Has a seat or saddle for use of the rider;

32 “(3) Is designed to travel with not more than three wheels in contact with the ground;

33 “(4) Is propelled exclusively by human power; [*and*]

34 “(5) Has every wheel more than 14 inches in diameter or two tandem wheels either of which is  
35 more than 14 inches in diameter[.]; **and**

1       **“(6) Is equipped with pedals.**

2       **“SECTION 3.** ORS 807.020 is amended to read:

3       “807.020. A person who is granted a driving privilege by this section may exercise the driving  
4 privilege described without violation of the requirements under ORS 807.010. A grant of driving  
5 privileges to operate a motor vehicle under this section is subject to suspension and revocation the  
6 same as other driving privileges granted under the vehicle code. This section is in addition to any  
7 exemptions from the vehicle code under ORS 801.026. The following persons are granted the de-  
8 scribed driving privileges:

9       “(1) A person who is not a resident of this state or who has been a resident of this state for less  
10 than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person  
11 holds a current out-of-state license issued to the person. For the purpose of this subsection, a person  
12 is a resident of this state if the person meets the residency requirements described in ORS 807.062.  
13 To qualify under this subsection, the person must have the out-of-state license or driver permit in  
14 the person’s possession. A person is not granted driving privileges under this subsection:

15       “(a) If the person is under the minimum age required to be eligible for driving privileges under  
16 ORS 807.060;

17       “(b) During a period of suspension or revocation by this state or any other jurisdiction of driv-  
18 ing privileges or of the right to apply for a license or driver permit issued by this state or any other  
19 jurisdiction; or

20       “(c) That exceed the driving privileges granted to the person by the out-of-state license or driver  
21 permit.

22       “(2) A person who is a member of the Armed Forces of the United States or a member of the  
23 commissioned corps of the National Oceanic and Atmospheric Administration may operate a motor  
24 vehicle without an Oregon license or driver permit if the person is operating a motor vehicle in the  
25 course of the person’s duties in the Armed Forces or the National Oceanic and Atmospheric Ad-  
26 ministration.

27       “(3) A person without a license or driver permit may operate a road roller or road machinery  
28 that is not required to be registered under the laws of this state.

29       “(4) A person without a license or driver permit may temporarily operate, draw, move or propel  
30 a farm tractor or implement of husbandry.

31       “(5) A person without a license or driver permit may operate a motor vehicle to demonstrate  
32 driving ability during the course of an examination administered under ORS 807.070 for the purpose  
33 of qualifying for a license or driver permit. This subsection only applies when an authorized exam-  
34 iner is in a seat beside the driver of the motor vehicle.

35       “(6) Driving privileges for snowmobiles are exclusively as provided in ORS 821.150.

36       “(7) Driving privileges for Class I all-terrain vehicles are exclusively as provided in ORS 821.170,  
37 unless a person is operating a Class I all-terrain vehicle on an all-terrain vehicle highway access  
38 route that is designated by the Oregon Transportation Commission as open to all-terrain vehicles.

39       “(8) Driving privileges for Class III all-terrain vehicles are exclusively as provided in ORS  
40 821.172, unless a person is operating a Class III all-terrain vehicle on an all-terrain vehicle highway  
41 access route that is designated by the commission as open to all-terrain vehicles.

42       “(9) Driving privileges for Class IV all-terrain vehicles are exclusively as provided in ORS  
43 821.176, unless a person is operating a Class IV all-terrain vehicle on an all-terrain vehicle highway  
44 access route that is designated by the commission as open to all-terrain vehicles.

45       “(10) A person without a license or driver permit may operate a golf cart in accordance with

1 an ordinance adopted under ORS 810.070.

2 “(11) The spouse of a member of the Armed Forces of the United States on active duty or the  
3 spouse of a member of the commissioned corps of the National Oceanic and Atmospheric Adminis-  
4 tration who is accompanying the member on assignment in this state may operate a motor vehicle  
5 if the spouse has a current out-of-state license or driver permit issued to the spouse by another state  
6 in the spouse’s possession.

7 “(12) A person who is a member of the Armed Forces of the United States on active duty or a  
8 member of the commissioned corps of the National Oceanic and Atmospheric Administration may  
9 operate a motor vehicle if the person has a current out-of-state license or driver permit in the  
10 person’s possession that is issued to the person by the person’s state of domicile or by the Armed  
11 Forces of the United States in a foreign country. Driving privileges described under this subsection  
12 that are granted by the Armed Forces apply only for a period of 45 days from the time the person  
13 returns to the United States.

14 “(13) A person who does not hold a motorcycle endorsement may operate a motorcycle if the  
15 person is:

16 “(a) Within an enclosed cab;

17 “(b) Operating a vehicle designed to travel with three wheels in contact with the ground at  
18 speeds of less than 15 miles per hour; or

19 “(c) Operating an autogyro.

20 “[14] *A person may operate a bicycle that is not an electric assisted bicycle without any grant of*  
21 *driving privileges.*]

22 “[15] *A person may operate an electric assisted bicycle without a driver license or driver permit*  
23 *if the person is 16 years of age or older.*]

24 “(14) **Except as provided in subsection (15) of this section, a person may operate a bicycle**  
25 **without any grant of driving privileges.**

26 “(15) **A person may operate the following without any grant of driving privileges if the**  
27 **person is 16 years of age or older:**

28 “(a) **A Class 1 electric assisted bicycle;**

29 “(b) **A Class 2 electric assisted bicycle; or**

30 “(c) **A Class 3 electric assisted bicycle.**

31 “(16) A person may operate a motor assisted scooter without a driver license or driver permit  
32 if the person is 16 years of age or older.

33 “(17) A person who is not a resident of this state or who has been a resident of this state for  
34 less than 30 days may operate a motor vehicle without an Oregon license or driver permit if the  
35 person is at least 15 years of age and has in the person’s possession a current out-of-state equivalent  
36 of a Class C instruction driver permit issued to the person. For the purpose of this subsection, a  
37 person is a resident of this state if the person meets the residency requirements described in ORS  
38 807.062. A person operating a motor vehicle under authority of this subsection has the same privi-  
39 leges and is subject to the same restrictions as a person operating under the authority of a Class  
40 C instruction driver permit issued as provided in ORS 807.280.

41 “(18) A person may operate an electric personal assistive mobility device without any grant of  
42 driving privileges if the person is 16 years of age or older.”.