

HB 4007 -2 STAFF MEASURE SUMMARY

House Committee On Transportation

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Meeting Dates: 2/4, 2/9

WHAT THE MEASURE DOES:

Overview

The measure defines "powered micromobility device," sets age and device requirements for them, and also makes two new violations and sets penalties. The measure also directs a new five-year pilot program for overweight milk trucks following a study and report on the subject.

Detailed Summary

Powered Micromobility Devices (sections 1-26): Defines "powered micromobility device" and specifies such devices are not subject generally to the Oregon Vehicle Code. Authorizes local governments to regulate 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 minimum age to operate Class 1 electric assist bicycles from 16 to 14 years of age and sets minimum age to operate motor assisted scooter or electric personal assistive devices to 14 years of age, while allowing use of all other electric micromobility devices by persons age 16 and older, with exception of motorized wheelchair, which can be operated by persons of any age. Adds operators of powered mobility devices to offense of failure of a motor vehicle operator to yield to a rider on 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 first citation can be waived with proof of protective head gear. Repeals religious exemption from wearing protective head gear and existing statutes related to use of head gear for such devices. Creates offense of improper sale or lease of a vehicle if person sells or leases a new storage battery or charging system not certified by properly accredited testing laboratory; designates offense as Class D traffic violation. Creates 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; designates offense as Class traffic violation.

Milk Trucks (sections 26-28): Directs ODOT to perform a study for, and subsequently implement, a five-year pilot program for allowing commercial motor vehicles up to 129,000 lbs to transport fluid milk products on a select number of highways in the state. Gives guidance to Oregon Department of Transportation (ODOT) on selecting routes. Authorizes issuance of permits and empowers ODOT to specify terms and conditions. Requires report to Joint Committee on Transportation and Oregon Transportation Commission on pilot program results by September 15, 2032. Repeals pilot program January 2, 2033.

Fiscal impact:

Revenue impact:

ISSUES DISCUSSED:

- Growing use of powered micromobility devices among adults and children
- Need for clearer regulations for powered micromobility devices
- Unregulated "e-moto" devices cause confusion for electric-assisted bicycle owners

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- Varying state regulations regarding powered micromobility devices
- Whether current rider behavior matches the proposed regulations
- Repealing religious exemption for bicycle helmets
- Milk trucks and interstate commerce

EFFECT OF AMENDMENT:

-2 Adds sections 30-34 amending House Bill 3991 (2025) to push back the report date for the Highway Cost Allocation Study (HCAS) review from June 30, 2026, to March 15, 2028. Postpones sunset date from January 2, 2027 to January 2, 2029. Specifies that HCAS sections take effect on 91st day following adjournment sine die.

FISCAL:

REVENUE:

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. Some common examples of micromobility devices include bicycles, scooters, or other similar devices. The devices can be privately owned and operated or can be part of a shared fleet; the Federal Highway Administration has estimated that there are over 260 different shared mobility systems in existence as of August 2020, including docked and dockless bikeshare and e-scooter systems.

Micromobility devices are often considered as a solution to the "last mile" problem, in that they offer a supplemental resource 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 utilize 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 who prefer to make some trips without using a car.

Oregon Revised Statutes Chapter 818 outlines the maximum allowable size of all types of vehicles that travel on public roads in the state. These limits are generally calculated by the number of axles of the transport vehicle, as well as the distance between the first and last axle on the vehicle. 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 the Oregon Department of Transportation (ODOT) that allows operation of vehicles that exceed weight, size, or other related requirements.