

House Bill 2232

Sponsored by Representative GREENLICK (Pre-session filed.)

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 **as introduced**.

Prohibits person under seven years of age from riding motorcycle. Provides exception.

A BILL FOR AN ACT

Relating to motorcycle passenger safety; creating new provisions; and amending ORS 814.325.

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

SECTION 1. ORS 814.325 is amended to read:

814.325. (1) **Except as provided in subsection (2) of this section**, a person commits the offense of unlawfully carrying a passenger on a motorcycle if the person **carries a person under seven years of age or carries a person** *[does any of the following]*:

(a) *[Carries On a motorcycle a person]* Who is not seated on a permanent and regular seat, if the motorcycle is designed to carry more than one person, or upon another seat attached to the motorcycle at the rear or side of the operator's seat.

(b) *[Carries a person]* In a position that interferes with the operation or control of the motorcycle or the operator's view.

(c) *[Carries a person]* **Who is riding**, other than in a sidecar or enclosed cab, on a motorcycle with no footrests for that person.

(2) A person may carry a person under seven years of age on a motorcycle if:

(a) The motorcycle has three wheels;

(b) The motorcycle is powered by an electric motor;

(c) The motorcycle has an enclosed cab;

(d) The motorcycle has a safety belt, safety harness or child safety system for the operator and passenger; and

(e) The operator and passenger use the safety belt, safety harness or child safety system in the manner described in ORS 811.210.

[(2)] **(3)** The offense described in this section, unlawfully carrying a passenger on a motorcycle, is a Class B traffic violation.

SECTION 2. The amendments to ORS 814.325 by section 1 of this 2011 Act apply to offenses that occur on or after the effective date of this 2011 Act.

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.