

House Bill 3024

Sponsored by Representative BOONE (at the request of Neal Lemery, Tillamook Justice of the Peace)

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**.

Modifies offenses relating to endangering Class I and Class III all-terrain vehicle operators.

A BILL FOR AN ACT

1
2 Relating to endangering all-terrain vehicle operators; creating new provisions; and amending ORS
3 821.291 and 821.292.

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

5 **SECTION 1.** ORS 821.291 is amended to read:

6 821.291. (1) A person commits the offense of endangering a Class I all-terrain vehicle operator
7 if the person is the parent, legal guardian or person with legal responsibility for the safety and
8 welfare of a child under 16 years of age and the child operates a Class I all-terrain vehicle on public
9 lands and:

10 (a) Does not have a Class I all-terrain vehicle operator permit issued under ORS 390.570;

11 (b) Is not accompanied by a person who is at least 18 years of age, holds a valid all-terrain ve-
12 hicle operator permit issued under ORS 390.570 or 390.575 and is able to provide immediate assist-
13 ance and direction to the child; *[and]* **or**

14 (c) Is not in compliance with the rider fit guidelines established by the Parks and Recreation
15 Department under ORS 390.585.

16 (2) This section does not apply if the all-terrain vehicle is:

17 (a) Used exclusively in farming, agricultural or forestry operations or used by persons licensed
18 under ORS chapter 571 exclusively for nursery or Christmas tree growing operations; and

19 (b) Being used on land owned or leased by the owner of the vehicle.

20 (3) The offense described in this section, endangering a Class I all-terrain vehicle operator, is
21 a Class C traffic violation.

22 **SECTION 2.** ORS 821.292 is amended to read:

23 821.292. (1) A person commits the offense of endangering a Class III all-terrain vehicle operator
24 if the person is the parent, legal guardian or person with legal responsibility for the safety and
25 welfare of a child at least seven years of age but under 16 years of age and the child operates a
26 Class III all-terrain vehicle on public lands and:

27 (a) Does not have a Class III all-terrain vehicle operator permit issued under ORS 390.575;
28 *[and]* **or**

29 (b) Is not accompanied by a person who is at least 18 years of age, holds a valid all-terrain ve-
30 hicle operator permit issued under ORS 390.570 or 390.575 and is able to provide immediate assist-
31 ance and direction to the child.

32 (2) A person commits the offense of endangering a Class III all-terrain vehicle operator if the

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 person is the parent, legal guardian or person with legal responsibility for the safety and welfare
2 of a child who is under seven years of age and the child operates a Class III all-terrain vehicle on
3 public lands.

4 (3) This section does not apply if the all-terrain vehicle is:

5 (a) Used exclusively in farming, agricultural or forestry operations or used by persons licensed
6 under ORS chapter 571 exclusively for nursery or Christmas tree growing operations; and

7 (b) Being used on land owned or leased by the owner of the vehicle.

8 (4) The offense described in this section, endangering a Class III all-terrain vehicle operator, is
9 a Class C traffic violation.

10 **SECTION 3. The amendments to ORS 821.291 and 821.292 by sections 1 and 2 of this 2011**
11 **Act apply to offenses that occur on or after the effective date of this 2011 Act.**

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