

# House Bill 3455

Sponsored by Representative WEIDNER, Senator ROBLAN; Representatives BARRETO, BARTON, BOONE, GOMBERG, KENNEMER, MCKEOWN, WITT

## 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**.

Increases membership of All-Terrain Vehicle Grant Subcommittee.

Expands purposes for use of moneys in All-Terrain Vehicle Account to include payment for emergency services related to all-terrain vehicles.

## A BILL FOR AN ACT

1  
2 Relating to all-terrain vehicles; amending ORS 390.560 and 390.565.

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

4 **SECTION 1.** ORS 390.565 is amended to read:

5 390.565. (1) The All-Terrain Vehicle Advisory Committee is established. The committee shall  
6 consist of 14 voting members and one nonvoting member appointed by the State Parks and Recre-  
7 ation Commission for a term of four years. Members are eligible for reappointment and vacancies  
8 may be filled by the commission. A majority of members constitutes a quorum for the transaction  
9 of business.

10 (2) Of the voting members of the committee:

11 (a) One shall be a representative of a Class I all-terrain vehicle user organization.

12 (b) One shall be a representative of a Class II all-terrain vehicle user organization.

13 (c) One shall be a representative of a Class III all-terrain vehicle user organization.

14 (d) One shall be a representative of a Class IV all-terrain vehicle user organization.

15 (e) One shall be an all-terrain vehicle dealer.

16 (f) One shall be an at-large all-terrain vehicle user.

17 (g) One shall be a representative of the United States Forest Service who is knowledgeable  
18 about all-terrain vehicle recreation areas on federal lands.

19 (h) One shall be a representative of the Bureau of Land Management who is knowledgeable  
20 about all-terrain vehicle recreation areas on federal lands.

21 (i) One shall be a representative of the Department of Transportation who is knowledgeable  
22 about transportation safety.

23 (j) One shall be a representative of the State Forestry Department who is knowledgeable about  
24 all-terrain vehicle recreation areas on state lands.

25 (k) One shall be a representative of the Department of Human Services who is knowledgeable  
26 about public health and safety.

27 (L) One shall be a representative of a law enforcement agency who is knowledgeable about and  
28 active in enforcement of all-terrain vehicle laws.

29 (m) One shall be a representative of the State Department of Fish and Wildlife who is know-  
30 ledgeable about all-terrain vehicle activities and the use of all-terrain vehicles in hunting and fish-

**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 ing.

2 (n) One shall be a person who represents persons with disabilities.

3 (3) One representative from the State Parks and Recreation Department shall be a nonvoting  
4 member of the committee.

5 (4) The committee shall:

6 (a) Review accidents and fatalities resulting from all-terrain vehicle recreation and make rec-  
7 ommendations to the State Parks and Recreation Commission.

8 (b) Review changes to statutory vehicle classifications as necessary for safety considerations  
9 and make recommendations to the commission.

10 (c) Review safety features of all classes of off-highway vehicles and make recommendations to  
11 the commission.

12 (d) Recommend appropriate safety requirements to protect child operators and riders of off-  
13 highway vehicles to the commission.

14 (5)(a) A subcommittee of the All-Terrain Vehicle Advisory Committee, titled the All-Terrain  
15 Vehicle Grant Subcommittee, *[shall be]* **is** established. *[consisting of the following members:]* **The**  
16 **members of the grant subcommittee not already appointed to serve on the All-Terrain Ve-**  
17 **hicle Advisory Committee described in subsection (1) of this section shall also be appointed**  
18 **by the State Parks and Recreation Commission.**

19 **(b) The All-Terrain Vehicle Grant Subcommittee shall consist of the following members:**

20 (A) The representative of a Class I all-terrain vehicle user organization.

21 (B) The representative of a Class II all-terrain vehicle user organization.

22 (C) The representative of a Class III all-terrain vehicle user organization.

23 (D) The representative of a Class IV all-terrain vehicle user organization.

24 (E) The at-large all-terrain vehicle user.

25 (F) The representative of a law enforcement agency.

26 (G) The representative of persons with disabilities.

27 **(H) A representative of a rural fire protection district.**

28 **(I) A representative of emergency medical services providers.**

29 *[(b)]* (c) The All-Terrain Vehicle Grant Subcommittee shall:

30 (A) Advise the State Parks and Recreation Department on the allocation of moneys in the All-  
31 Terrain Vehicle Account established by ORS 390.555; and

32 (B) Review grant proposals and make recommendations to the commission as to which projects  
33 should receive grant funding.

34 *[(c)]* (d) Recommendations *[under this subsection]* on grant proposals **under this subsection**  
35 **must receive an affirmative vote from at least [four] five** of the members of the **grant** subcommittee.

36 (6) The State Parks and Recreation Department shall provide staff support for the committee  
37 and shall provide for expansion of programs for all-terrain vehicle users.

38 **SECTION 2.** ORS 390.560 is amended to read:

39 390.560. Moneys in the All-Terrain Vehicle Account established under ORS 390.555 shall be used  
40 for the following purposes only:

41 (1) In each 12-month period, no less than 10 percent of the moneys described in ORS 390.555 that  
42 are attributable to Class I all-terrain vehicles shall be transferred to the Department of Transpor-  
43 tation for the development and maintenance of snowmobile facilities as provided in ORS 802.110;

44 (2) Planning, promoting and implementing a statewide all-terrain vehicle program, including the  
45 acquisition, development and maintenance of all-terrain vehicle recreation areas;

- 1 (3) Education and safety training for all-terrain vehicle operators;
- 2 (4) Provision of first aid and police services related to all-terrain vehicle recreation;
- 3 (5) Paying the costs of instigating, developing or promoting new programs for all-terrain vehicle
- 4 users and of advising people of possible usage areas for all-terrain vehicles;
- 5 (6) Paying the costs of coordinating between all-terrain vehicle user groups and the managers
- 6 of public lands;
- 7 (7) Paying the costs of providing consultation and guidance to all-terrain vehicle user programs;
- 8 (8) Paying the costs of administration of the all-terrain vehicle programs, including staff support
- 9 provided under ORS 390.565 as requested by the All-Terrain Vehicle Advisory Committee;
- 10 (9) Paying the costs of law enforcement activities related to the operation of all-terrain vehicles.
- 11 The State Parks and Recreation Department shall determine the amount required for law enforce-
- 12 ment activities and the intervals at which the moneys shall be distributed. The funds available shall
- 13 be apportioned according to the terms of an intergovernmental agreement entered into between the
- 14 State Parks and Recreation Department and a city, the Department of State Police or the sheriff
- 15 of a county; *[and]*
- 16 (10) Control and eradication of invasive species related to all-terrain vehicle recreation[.]; **and**
- 17 **(11) Paying the costs of emergency services provided by fire service professionals, as**
- 18 **defined in ORS 181.610, related to the operation of all-terrain vehicles.**

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