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# OREGON PEDESTRIAN AND BICYCLE RULES

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2010–11 SELECTED STATUTES



# PEDESTRIANS

## *List of Traffic Violations*

- 814.020 Failure to obey traffic control device:** Class D traffic violation
- 814.030 Failure to obey bridge or rail-road signal:** Class D traffic violation
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# BICYCLES

## *List of Traffic Violations*

- 814.410 Unsafe operation of bicycle on sidewalk:** Class D traffic violation.
- 814.420 Failure to use bicycle lane or path:** Class D traffic violation

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- 814.450 Unlawful load on bicycle:** Class D traffic violation
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- 814.470 Failure to use bicycle seat:** Class D traffic violation
- 814.480 Non-motorized vehicle clinging to another vehicle:** Class D traffic violation
- 814.485 Failure to wear protective headgear – Under age 16:** maximum fine of \$25
- 814.486 Endangering bicycle operator or passenger:** maximum fine of \$25
- 815.280 Violation of bicycle equipment requirements:** Class D traffic violation

## **NON-MOTORIZED VEHICLES OTHER THAN BICYCLES**

- 814.600 Failure of skateboarder, scooter rider or in-line skater to wear protective headgear – Under age 16:** maximum fine \$25



# Oregon Vehicle Code

## PEDESTRIANS

*(Traffic Control Devices)*

### **814.010 Appropriate responses to traffic control devices.**

This section establishes appropriate pedestrian responses to specific traffic control devices for purposes of ORS 814.020. Authority to place traffic control devices is established under ORS 810.210. Except when acting under the direction of a police officer, a pedestrian is in violation of ORS 814.020 if the pedestrian makes a response to a traffic control device that is not permitted under the following:

- (1) A pedestrian facing a traffic control device with a green light may proceed across the roadway within any marked or unmarked crosswalk unless prohibited from doing so by other traffic control devices.
- (2) A pedestrian facing a traffic control device with a green arrow signal light may proceed across the roadway within any marked or unmarked crosswalk unless prohibited from doing so by other traffic control devices.
- (3) A pedestrian facing a traffic control device with a steady yellow light shall not enter the roadway unless otherwise directed by a pedestrian control signal.

- (4) A pedestrian facing a traffic control device with a steady red light shall not enter the roadway unless otherwise directed by a pedestrian control signal.
- (5) If a traffic control device is erected and maintained at a place other than an intersection, the provisions of this section are applicable.
- (6) When a pedestrian control signal showing the words "Walk" and "Wait" or "Don't Walk" or any other pedestrian symbol approved by the Oregon Transportation Commission under ORS 810.200 and 810.210 for the purpose of controlling pedestrian crossing is in place, the signal indicates and applies as follows:
  - (a) If a pedestrian is facing a "Walk" signal or other symbol approved under ORS 810.200 and 810.210 indicating that the pedestrian may proceed, the pedestrian may proceed across the roadway in the direction of the signal.
  - (b) A pedestrian shall not start to cross the roadway in the direction of a signal showing a "Wait" or "Don't Walk" or any other symbol approved under ORS 810.200 and 810.210 indicating that the pedestrian may not proceed. A pedestrian who has started crossing a roadway on a signal showing "Walk" or any other approved symbol to proceed shall proceed with dispatch to a sidewalk or safety island while a signal is showing "Wait" or "Don't Walk" or any other approved symbol indicating not to proceed. [1983 c.338 §553; 1985 c.16 §282]

## **814.020 Failure to obey traffic control device; penalty.**

- (1) A pedestrian commits the offense of pedestrian failure to obey traffic control devices if the pedestrian does any of the following:
  - (a) Fails to obey any traffic control device specifically applicable to the pedestrian.
  - (b) Fails to obey any specific traffic control device described in ORS 814.010 in the manner required by that section.
- (2) A pedestrian is not subject to the requirements of this section if the pedestrian complies with directions of a police officer.
- (3) The offense described in this section, pedestrian failure to obey traffic control devices, is a Class D traffic violation. [1983 c.338 §552; 1995 c.383 §82]

## **814.030 Failure to obey bridge or railroad signal; penalty.**

- (1) A pedestrian commits the offense of pedestrian failure to obey bridge or railroad signal if the pedestrian does any of the following:
  - (a) Enters or remains upon a bridge or approach to a bridge beyond the bridge signal, gate or barricade after a bridge operation signal has been given.

- (b) Passes through, around, over or under any crossing gate or barrier at a bridge or railroad grade crossing while the gate or barrier is closed or being opened or closed.
- (2) The offense described in this section, pedestrian failure to obey bridge or railroad signal, is a Class D traffic violation. [1983 c.338 §554; 1995 c.383 §83] (Pedestrian Yield)

### **814.040 Failure to yield to vehicle; penalty.**

- (1) A pedestrian commits the offense of pedestrian failure to yield to a vehicle if the pedestrian does any of the following:
  - (a) Suddenly leaves a curb or other place of safety and moves into the path of a vehicle that is so close as to constitute an immediate hazard.
  - (b) Fails to yield the right of way to a vehicle upon a roadway when the pedestrian is crossing the roadway at any point other than within a marked crosswalk or an unmarked crosswalk at an intersection.
  - (c) Except as otherwise provided under the vehicle code, fails to yield the right of way to all vehicles upon the roadway.
- (2) The offense described in this section, pedestrian failure to yield to a vehicle, is a Class D traffic violation. [1983 c.338 §555; 1995 c.383 §84] Title 59  
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## **814.050 Failure to yield to ambulance or emergency vehicle; penalty.**

- (1) A pedestrian commits the offense of pedestrian failure to yield to an ambulance or emergency vehicle if the pedestrian does not yield the right of way to:
  - (a) An ambulance used in an emergency situation; or
  - (b) An emergency vehicle or an ambulance upon the approach of the vehicle using a visual signal or audible signal or both according to requirements under ORS 820.300 or 820.320.
- (2) This section does not relieve the driver of an ambulance or emergency vehicle from the duty to:
  - (a) Drive with due regard for the safety of all persons using the highway; and
  - (b) Exercise due care to avoid colliding with any pedestrian.
- (3) The offense described in this section, pedestrian failure to yield to an ambulance or emergency vehicle, is a Class D traffic violation. [1983 c.338 §556; 1995 c.209 §4; 1995 c.383 §85] (Roadway Use)

## **814.060 Failure to use pedestrian tunnel or overhead crossing; penalty.**

- (1) A pedestrian commits the offense of failure to use pedestrian tunnel or overhead crossing if the pedestrian crosses a roadway other than by means of a pedestrian tunnel or overhead pedestrian crossing

when a tunnel or overhead crossing serves the place where the pedestrian is crossing the roadway.

- (2) The offense described in this section, failure to use pedestrian tunnel or overhead crossing, is a Class D traffic violation. [1983 c.338 §557]

### **814.070 Improper position upon or improperly proceeding along highway; penalty.**

- (1) A pedestrian commits the offense of pedestrian with improper position upon or improperly proceeding along a highway if the pedestrian does any of the following:
  - (a) Takes a position upon or proceeds along and upon the roadway where there is an adjacent usable sidewalk or shoulder.
  - (b) Does not take a position upon or proceed along and upon the shoulder, as far as practicable from the roadway edge, on a highway that has an adjacent shoulder area on one or both sides.
  - (c) Except in the case of the divided highway, does not take a position upon or proceed along and upon the left shoulder and as far as practicable from the roadway edge on a two-way highway that has no sidewalk and that does have an adjacent shoulder area. This paragraph does not apply to:

- (A) A hitchhiker who takes a position upon or proceeds along and upon the right shoulder so long as the hitchhiker does so facing the vehicles using the adjacent lane of the roadway; or
  - (B) A member of a group that has adopted that section of highway under the provisions of ORS 366.158 who is obeying the rules of the Department of Transportation for picking up litter or removing noxious weeds on either side of the roadway.
- (d) Does not take a position upon or proceed along and upon the right highway shoulder, as far as practicable from the roadway edge, on a divided highway that has no sidewalk and does have a shoulder area. This paragraph does not apply to a member of a group that has adopted that section of highway under the provisions of ORS 366.158 who is obeying the rules of the Department of Transportation for picking up litter or removing noxious weeds on either side of the roadway.
  - (e) Fails to take a position upon or proceed along and upon a highway that has neither sidewalk nor shoulder available, as near as practicable to an outside edge of the roadway, and, if the roadway is a two-way roadway, only on the left side of it.
- (2) This section is subject to the provisions of ORS 814.100.

- (3) A pedestrian does not commit the offense of pedestrian with improper position upon or improperly proceeding along a highway if the pedestrian:
- (a) Does not impede traffic or create a traffic hazard;
  - (b) Posts advance warning signs in compliance with standards adopted by the Oregon Transportation Commission under ORS 810.200;
  - (c) Wears high-visibility safety apparel in compliance with standards adopted by the Oregon Transportation Commission under ORS 810.200; and
  - (d) Has a permit or belongs to a group that has a permit issued under section 5, chapter 47, Oregon Laws 2008.
- (4) The offense described in this section, pedestrian with improper position upon or improperly proceeding along a highway, is a Class D traffic violation. [1983 c.338 §558; 1991 c.486 §4; 1995 c.383 §86; 2008 c.47 §1; 2009 c.547 §2]

Note: Sections 5 to 7, chapter 47, Oregon Laws 2008, provide: Sec. 5.

- (1) A road authority may issue a permit that authorizes a pedestrian or a group to be positioned upon or to proceed along a highway if the pedestrian or group shows to the satisfaction of the road authority:
  - (a) Proof of liability insurance in an amount of not less than \$1 million; and

- (b) That the pedestrian or group will meet the public safety requirements adopted by the Department of Transportation by rule.
- (2) Upon issuance of a permit, the permit holder shall provide a copy of the permit to any applicable local jurisdiction. [2008 c.47 §5] Sec. 6. Section 5 of this 2008 Act is repealed on January 2, 2012. [2008 c.47 §6] Sec. 7.

A road authority may not issue a permit under section 5 of this 2008 Act after July 1, 2011. [2008 c.47 §7] Note: The amendments to 814.070 by section 2, chapter 47, Oregon Laws 2008, become operative January 2, 2012. See section 3, chapter 47, Oregon Laws 2008. The text that is operative on and after January 2, 2012, including amendments by section 3, chapter 547, Oregon Laws 2009, is set forth for the user's convenience. 814.070.

- (1) A pedestrian commits the offense of pedestrian with improper position upon or improperly proceeding along a highway if the pedestrian does any of the following:
- (a) Takes a position upon or proceeds along and upon the roadway where there is an adjacent usable sidewalk or shoulder.
  - (b) Does not take a position upon or proceed along and upon the shoulder, as far as practicable from the roadway edge, on a highway that has an adjacent shoulder area on one or both sides.

- (c) Except in the case of the divided highway, does not take a position upon or proceed along and upon the left shoulder and as far as practicable from the roadway edge on a two-way highway that has no sidewalk and that does have an adjacent shoulder area.

This paragraph does not apply to:

- (A) A hitchhiker who takes a position upon or proceeds along and upon the right shoulder so long as the hitchhiker does so facing the vehicles using the adjacent lane of the roadway; or
  - (B) A member of a group that has adopted that section of highway under the provisions of ORS 366.158 who is obeying the rules of the Department of Transportation for picking up litter or removing noxious weeds on either side of the roadway.
- (d) Does not take a position upon or proceed along and upon the right highway shoulder, as far as practicable from the roadway edge, on a divided highway that has no sidewalk and does have a shoulder area.

This paragraph does not apply to a member of a group that has adopted that

section of highway under the provisions of ORS 366.158 who is obeying the rules of the Department of Transportation for picking up litter or removing noxious weeds on either side of the roadway.

- (e) Fails to take a position upon or proceed along and upon a highway that has neither sidewalk nor shoulder available, as near as practicable to an outside edge of the roadway, and, if the roadway is a two-way roadway, only on the left side of it.
- (2) This section is subject to the provisions of ORS 814.100.
- (3) The offense described in this section, pedestrian with improper position upon or improperly proceeding along a highway, is a Class D traffic violation.

## **814.080 Unlawful hitchhiking; penalty.**

- (1) A person commits the offense of unlawful hitchhiking if the person is on a roadway for the purpose of soliciting a ride.
- (2) The offense described in this section, unlawful hitchhiking, is a Class D traffic violation. [1983 c.338 §559; 1995 c.383 §87] 814.090 [1983 c.338 §560; 1995 c.383 §88; 1999 c.932 §1; repealed by 2005 c.63 §1] 814.092 [1999 c.932 §2; repealed by 2005 c.63 §1] (Miscellaneous Rights)

## **814.100 Rights of driver and passengers of disabled vehicle on freeway.**

On a freeway on which pedestrian traffic is prohibited, the driver and passengers of a disabled vehicle stopped on the freeway may walk to the nearest exit, in either direction, on that side of the freeway upon which the vehicle is disabled, from which telephone or motor vehicle repair services are available. [1983 c.338 §561]

## **814.110 Rights for persons who are blind or who are blind and deaf.**

- (1) This section establishes rights for pedestrians who are blind or blind and deaf. The rights established by this section are enforced by ORS 811.035 and 814.120. The following definitions apply to this section and to ORS 811.035 and 814.120:
  - (a) "Dog guide" means a dog that is wearing a dog guide harness and is trained to lead or guide a person who is blind.
  - (b) "Person who is blind" means a person who has 20/200 vision or less, or a visual field of 20 degrees or less.
  - (c) "White cane" means a cane or walking stick that is white in color or white with a red tip.
- (2) This section and ORS 811.035 and 814.120 grant and enforce the following rights for pedestrians who are blind or blind and deaf:

- (a) A person who is blind or blind and deaf may carry and use a white cane on the highways and other public places of this state for the purposes of identification and mobility.
  - (b) Any person who is blind and deaf may use a white cane marked by a six-inch wide chartreuse colored strip at the tip end.
- (3) A pedestrian who is blind or blind and deaf and who is not carrying a white cane or not accompanied by a dog guide has all the rights and privileges granted by law to all pedestrians. [1985 c.16 §284; 2007 c.70 §344]

### **814.120 Unlawful use of white cane; penalty.**

- (1) A person commits the offense of unlawful use of a white cane if the person uses or carries a white cane on the highways or any other public place of this state and the person is not blind or blind and deaf.
- (2) This section is subject to the provisions and definitions relating to the rights of pedestrians who are blind or blind and deaf under ORS 814.110.
- (3) The offense described in this section, unlawful use of a white cane, is a Class D traffic violation. [1983 c.338 §562; 1985 c.16 §285; 1995 c.383 §89; 2007 c.70 §345]



# BICYCLES

## **814.400 Application of vehicle laws to bicycles.**

- (1) Every person riding a bicycle upon a public way is subject to the provisions applicable to and has the same rights and duties as the driver of any other vehicle concerning operating on highways, vehicle equipment and abandoned vehicles, except:
  - (a) Those provisions which by their very nature can have no application.
  - (b) When otherwise specifically provided under the vehicle code.
- (2) Subject to the provisions of subsection (1) of this section:
  - (a) A bicycle is a vehicle for purposes of the vehicle code; and
  - (b) When the term "vehicle" is used the term shall be deemed to be applicable to bicycles.
- (3) The provisions of the vehicle code relating to the operation of bicycles do not relieve a bicyclist or motorist from the duty to exercise due care. [1983 c.338 §697; 1985 c.16 §335]

## **814.405 Status of electric assisted bicycle.**

An electric assisted bicycle shall be considered a bicycle, rather than a motor vehicle, for purposes of the Oregon Vehicle Code, except when otherwise specifically provided by statute. [1997 c.400 §4]

## **814.410 Unsafe operation of bicycle on sidewalk; penalty.**

- (1) A person commits the offense of unsafe operation of a bicycle on a sidewalk if the person does any of the following:
  - (a) Operates the bicycle so as to suddenly leave a curb or other place of safety and move into the path of a vehicle that is so close as to constitute an immediate hazard.
  - (b) Operates a bicycle upon a sidewalk and does not give an audible warning before overtaking and passing a pedestrian and does not yield the right of way to all pedestrians on the sidewalk.
  - (c) Operates a bicycle on a sidewalk in a careless manner that endangers or would be likely to endanger any person or property.
  - (d) Operates the bicycle at a speed greater than an ordinary walk when approaching or entering a crosswalk, approaching or crossing a driveway or crossing a curb cut or pedestrian ramp and a motor vehicle is approaching the crosswalk, driveway, curb cut or pedestrian ramp. This paragraph does not require reduced speeds for bicycles at places on sidewalks or other pedestrian ways other than places where the path for pedestrians or bicycle traffic approaches or crosses that for motor vehicle traffic.
  - (e) Operates an electric assisted bicycle on a sidewalk.

- (2) Except as otherwise specifically provided by law, a bicyclist on a sidewalk or in a crosswalk has the same rights and duties as a pedestrian on a sidewalk or in a crosswalk.
- (3) The offense described in this section, unsafe operation of a bicycle on a sidewalk, is a Class D traffic violation. [1983 c.338 §699; 1985 c.16 §337; 1997 c.400 §7; 2005 c.316 §2]

### **814.420 Failure to use bicycle lane or path; exceptions; penalty.**

- (1) Except as provided in subsections (2) and (3) of this section, a person commits the offense of failure to use a bicycle lane or path if the person operates a bicycle on any portion of a roadway that is not a bicycle lane or bicycle path when a bicycle lane or bicycle path is adjacent to or near the roadway.
- (2) A person is not required to comply with this section unless the state or local authority with jurisdiction over the roadway finds, after public hearing, that the bicycle lane or bicycle path is suitable for safe bicycle use at reasonable rates of speed.
- (3) A person is not in violation of the offense under this section if the person is able to safely move out of the bicycle lane or path for the purpose of:
  - (a) Overtaking and passing another bicycle, a vehicle or a pedestrian that is in the bicycle lane or path and passage cannot safely be made in the lane or path.

- (b) Preparing to execute a left turn at an intersection or into a private road or driveway.
  - (c) Avoiding debris or other hazardous conditions.
  - (d) Preparing to execute a right turn where a right turn is authorized.
  - (e) Continuing straight at an intersection where the bicycle lane or path is to the right of a lane from which a motor vehicle must turn right.
- (4) The offense described in this section, failure to use a bicycle lane or path, is a Class D traffic violation. [1983 c.338 §700; 1985 c.16 §338; 2005 c.316 §3]

### **814.430 Improper use of lanes; exceptions; penalty.**

- (1) A person commits the offense of improper use of lanes by a bicycle if the person is operating a bicycle on a roadway at less than the normal speed of traffic using the roadway at that time and place under the existing conditions and the person does not ride as close as practicable to the right curb or edge of the roadway.
- (2) A person is not in violation of the offense under this section if the person is not operating a bicycle as close as practicable to the right curb or edge of the roadway under any of the following circumstances:
  - (a) When overtaking and passing another bicycle or vehicle that is proceeding in the same direction.

- (b) When preparing to execute a left turn.
- (c) When reasonably necessary to avoid hazardous conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards or other conditions that make continued operation along the right curb or edge unsafe or to avoid unsafe operation in a lane on the roadway that is too narrow for a bicycle and vehicle to travel safely side by side. Nothing in this paragraph excuses the operator of a bicycle from the requirements under ORS 811.425 or from the penalties for failure to comply with those requirements.
- (d) When operating within a city as near as practicable to the left curb or edge of a roadway that is designated to allow traffic to move in only one direction along the roadway. A bicycle that is operated under this paragraph is subject to the same requirements and exceptions when operating along the left curb or edge as are applicable when a bicycle is operating along the right curb or edge of the roadway.
- (e) When operating a bicycle alongside not more than one other bicycle as long as the bicycles are both being operated within a single lane and in a manner that does not impede the normal and reasonable movement of traffic.
- (f) When operating on a bicycle lane or bicycle path.

- (3) The offense described in this section, improper use of lanes by a bicycle, is a Class D traffic violation. [1983 c.338 §701; 1985 c.16 §339]

### **814.440 Failure to signal turn; exceptions; penalty.**

- (1) A person commits the offense of failure to signal for a bicycle turn if the person does any of the following:
- (a) Stops a bicycle the person is operating without giving the appropriate hand and arm signal continuously for at least 100 feet before executing the stop.
  - (b) Executes a turn on a bicycle the person is operating without giving the appropriate hand and arm signal for the turn for at least 100 feet before executing the turn.
  - (c) Executes a turn on a bicycle the person is operating after having been stopped without giving, while stopped, the appropriate hand and arm signal for the turn.
- (2) A person is not in violation of the offense under this section if the person is operating a bicycle and does not give the appropriate signal continuously for a stop or turn because circumstances require that both hands be used to safely control or operate the bicycle.
- (3) The appropriate hand and arm signals for indicating turns and stops under this section are those provided for other vehicles under ORS 811.395 and 811.400.

- (4) The offense described under this section, failure to signal for a bicycle turn, is a Class D traffic violation. [1983 c.338 §703; 1985 c.16 §341]

### **814.450 Unlawful load on bicycle; penalty.**

- (1) A person commits the offense of having an unlawful load on a bicycle if the person is operating a bicycle and the person carries a package, bundle or article which prevents the person from keeping at least one hand upon the handlebar and having full control at all times.
- (2) The offense described in this section, unlawful load on a bicycle, is a Class D traffic violation. [1983 c.338 §704]

### **814.460 Unlawful passengers on bicycle; penalty.**

- (1) A person commits the offense of unlawful passengers on a bicycle if the person operates a bicycle and carries more persons on the bicycle than the number for which it is designed or safely equipped.
- (2) The offense described in this section, unlawful passengers on a bicycle, is a Class D traffic violation. [1983 c.338 §705]

### **814.470 Failure to use bicycle seat; penalty.**

- (1) A person commits the offense of failure to use a bicycle seat if the person is operating a bicycle and the person rides other than upon or astride a permanent and regular seat attached to the bicycle.

- (2) A person operating an electric personal assistive mobility device is not subject to this section.
- (3) The offense described in this section, failure to use bicycle seat, is a Class D traffic violation. [1983 c.338 §706; 2003 c.341 §13]

### **814.480 Non-motorized vehicle clinging to another vehicle; penalty.**

- (1) A person commits the offense of non motorized vehicle clinging to another vehicle if the person is riding upon or operating a bicycle, coaster, roller skates, sled or toy vehicle and the person clings to another vehicle upon a roadway or attaches that which the person is riding or operating to any other vehicle upon a roadway.
- (2) The offense described in this section, non-motorized vehicle clinging to another vehicle, is a Class D traffic violation. [1983 c.338 §707]

### **814.484 Meaning of “bicycle” and “operating or riding on a highway.”**

- (1) For purposes of ORS 814.485, 814.486, 815.052 and 815.281, “bicycle” has the meaning given in ORS 801.150 except that:
  - (a) It also includes vehicles that meet the criteria specified in ORS 801.150 (1) to (4) but that have wheels less than 14 inches in diameter.

- (b) It does not include tricycles designed to be ridden by children.
- (2) For purposes of the offenses defined in ORS 814.485, 814.486 and 815.281 (2), a person shall not be considered to be operating or riding on a bicycle on a highway or on premises open to the public if the person is operating or riding on a three-wheeled non-motorized vehicle on a beach while it is closed to motor vehicle traffic. [1993 c.408 § 3a, 3b]

### **814.485 Failure to wear protective headgear; penalty.**

- (1) A person commits the offense of failure of a bicycle operator or rider to wear protective headgear if the person is under 16 years of age, operates or rides on a bicycle on a highway or on premises open to the public and is not wearing protective headgear of a type approved under ORS 815.052.
- (2) Exemptions from this section are as provided in ORS 814.487.
- (3) The offense described in this section, failure of a bicycle operator or rider to wear protective headgear, is a traffic violation punishable by a maximum fine of \$25. [1993 c.408 §2; 1995 c.581 §1]

### **814.486 Endangering bicycle operator or passenger; penalty.**

- (1) A person commits the offense of endangering a bicycle operator or passenger if:

- (a) The person is operating a bicycle on a highway or on premises open to the public and the person carries another person on the bicycle who is under 16 years of age and is not wearing protective headgear of a type approved under ORS 815.052; or
  - (b) The person is the parent, legal guardian or person with legal responsibility for the safety and welfare of a child under 16 years of age and the child operates or rides on a bicycle on a highway or on premises open to the public without wearing protective head gear of a type approved under ORS 815.052.
- (2) Exemptions from this section are as provided in ORS 814.487.
- (3) The offense described in this section, endangering a bicycle operator or passenger, is a traffic violation punishable by a maximum fine of \$25. [1993 c.408 §3; 1995 c.581 §2]

## **814.487 Exemptions from protective headgear requirements.**

A person is exempt from the requirements under ORS 814.485 and 814.486 to wear protective headgear, if wearing the headgear would violate a religious belief or practice of the person. [1995 c.581 §4]

## **814.488 Citations; exemption from requirement to pay fine.**

- (1) If a child in violation of ORS 814.485 is 11 years of age or younger, any citation issued shall be issued to the parent, legal guardian or person with legal responsibility for the safety and welfare of the child for violation of ORS 814.486, rather than to the child for violation of ORS 814.485.
- (2) If a child in violation of ORS 814.485 is at least 12 years of age and is under 16 years of age, a citation may be issued to the child for violation of ORS 814.485 or to the parent, legal guardian or person with legal responsibility for the safety and welfare of the child for violation of ORS 814.486, but not to both.
- (3) The first time a person is convicted of an offense described in ORS 814.485 or 814.486, the person shall not be required to pay a fine if the person proves to the satisfaction of the court that the person has protective headgear of a type approved under ORS 815.052. [1993 c.408 § 3 c.7]

## **814.489 Use of evidence of lack of protective headgear on bicyclist.**

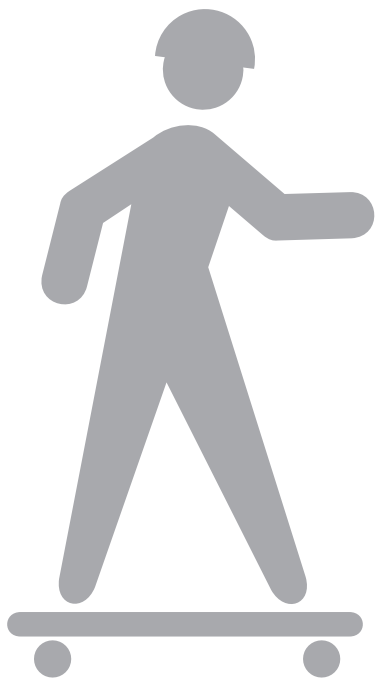
Evidence of violation of ORS 814.485 or 814.486 and evidence of lack of protective headgear shall not be admissible, applicable or effective to reduce the amount of damages or to constitute a defense to an action for damages brought by or on behalf of an injured bicyclist or bicycle passenger or the survivors of a deceased

bicyclist or passenger if the bicyclist or passenger was injured or killed as a result in whole or in part of the fault of another. [1993 c.408 §8]

## **815.280 Violation of bicycle equipment requirements; penalty.**

- (1) A person commits the offense of violation of bicycle equipment requirements if the person does any of the following:
  - (a) Operates on any highway a bicycle in violation of the requirements of this section.
  - (b) Is the parent or guardian of a minor child or ward and authorizes or knowingly permits the child or ward to operate a bicycle on any highway in violation of the requirements of this section.
- (2) A bicycle is operated in violation of the requirements of this section if any of the following requirements are violated:
  - (a) A bicycle must be equipped with a brake that enables the operator of the bicycle to stop the bicycle within 15 feet from a speed of 10 miles per hour on dry, level, clean pavement.
  - (b) A person shall not install or use any siren or whistle upon a bicycle. This paragraph does not apply to bicycles used by police officers.
  - (c) At the times described in the following, a bicycle or its rider must be equipped with lighting equipment that meets the described requirements:

- (A) The lighting equipment must be used during limited visibility conditions.
  - (B) The lighting equipment must show a white light visible from a distance of at least 500 feet to the front of the bicycle.
  - (C) The lighting equipment must have a red reflector or lighting device or material of such size or characteristic and so mounted as to be visible from all distances up to 600 feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle.
- (3) Nothing contained in this section shall be construed to prohibit the use of additional parts and accessories on any bicycle consistent with this section.
- (4) This section does not apply to electric personal assistive mobility devices. Equipment requirements for electric personal assistive mobility devices are provided in ORS 815.284.
- (5) The offense described in this section, violation of bicycle equipment requirements, is a Class D traffic violation. [1983 c.338 §502; 1985 c.16 §260; 1985 c.69 §5; 2003 c.158 §15; 2003 c.341 §17; 2007 c.821 §1]



# **NON-MOTORIZED VEHICLES OTHER THAN BICYCLES**

## **814.600 Failure of skateboarder, scooter rider or in-line skater to wear protective headgear; penalty.**

- (1) A person commits the offense of failure of a skateboarder, scooter rider or in-line skater to wear protective headgear if the person is under 16 years of age, rides on a skateboard or scooter or uses in-line skates on a highway or on premises open to the public and is not wearing protective headgear of a type approved under ORS 815.052.
- (2) The offense described in this section, failure of a skateboarder, scooter rider or in-line skater to wear protective headgear, is a traffic violation punishable by a maximum fine of \$25. [2003 c.106 §1]

Note: 814.600 was enacted into law by the Legislative Assembly but was not added to or made a part of the Oregon Vehicle Code or any chapter or series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

# NOTES

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