

2017 Oregon Revised Statutes: Excerpts Related to Motorcycles

**Motorcycle Rider Education Course Requirement:**

**807.175 Motorcycle education course.** (1) The Department of Transportation may not issue a motorcycle endorsement to a person unless the person shows to the satisfaction of the department that the person has successfully completed a motorcycle rider education course established by the department under ORS 802.320. This requirement is in addition to any other requirement for the endorsement.

(2) Subsection (1) of this section does not apply to a person applying for issuance of a motorcycle endorsement under ORS 807.170 who:

- (a) Currently holds a motorcycle endorsement issued by another state; or
- (b) Is applying for a restricted motorcycle endorsement that only authorizes the person to operate a motorcycle with more than two wheels.

(Endorsements)

**807.170 Requirements for issuance; fees; cancellation.** (1) The Department of Transportation shall provide for the granting of driver license endorsements in a manner consistent with this section.

(2) The department shall grant an endorsement to any person who complies with all of the following requirements:

(a) The person must hold a valid license other than a restricted Class C license issued under the vehicle code.

(b) The person must successfully complete any tests and demonstrations referred to in ORS 807.070 that the department determines necessary to determine whether the applicant is qualified for the type of endorsement sought. The actual demonstration required under ORS 807.070, if any, must be performed in a vehicle that may be operated under the endorsement sought but that may not be operated without the endorsement. Tests shall include, but are not limited to, those tests necessary to determine whether the applicant:

(A) Has satisfactory knowledge of laws relating to operation under the type of endorsement sought, defensive driving skills, the common causes of accidents involving vehicles operated under the type of endorsement sought; and

(B) Can operate under the endorsement in a manner that will not jeopardize the safety of persons or property.

(c) The appropriate fee under ORS 807.370 for the endorsement, including the fee for the Motorcycle Safety Subaccount, must be paid.

(d) If the person is applying for a motorcycle endorsement, the person must comply with ORS 807.175.

(3) An endorsement granted under this section is subject to the following:

(a) It is part of the license upon which it is endorsed and is subject to any provisions applicable to the endorsed license under the statutes of this state.

(b) It is valid only if the license endorsed is valid.

(c) The appropriate fee under ORS 807.370 must be paid upon renewal of the endorsement in addition to any fee for renewal of the license endorsed.

(d) Except as provided under ORS 807.350 or as specifically provided under ORS 809.419, an endorsement cannot be canceled, suspended or revoked separately from the license endorsed. When an endorsed license is canceled, suspended or revoked, all endorsements on the license are subject to the same cancellation, suspension or revocation as the license.

(4) Before the department may renew any license with a motorcycle endorsement, the applicant shall pay the department the Motorcycle Safety Subaccount fee established under ORS 807.370 in addition to any fee for renewal of the license.

**807.070 Examinations.** The Department of Transportation shall administer an examination to establish qualification for each class of license and endorsement. The examination for each class of license or endorsement must include all of the following as described:

(1) A test of the applicant's eyesight. This subsection does not apply to an applicant with a limited vision condition as defined in ORS 807.355.

(2) A test of the applicant's knowledge and understanding of the traffic laws of this state, safe driving practices and factors that cause accidents. The following all apply to the test under this subsection:

(a) The test may not cover any subject that is not presented in the publications of the department intended for the instruction of applicants for licenses and driver permits.

(b) The test for each class of license and endorsement must include, but is not limited to, a test of knowledge and understanding of traffic laws that relate specifically to the type of driving privileges granted under the specific class of license or endorsement sought.

(c) The test must include, but is not limited to, the following subjects:

(A) Rights of pedestrians who are blind.

(B) The meaning of official traffic signs and signals.

(C) Proper operating procedure in emergency situations.

(D) Vehicle safety equipment and its use.

(E) Practices necessary for safe operation of a vehicle around pedestrians and bicyclists.

(F) Practices necessary for safe operation of a vehicle around motorcyclists.

(d) The test must include at least two questions pertaining to the practices necessary for safe operation of a vehicle around motorcyclists.

(e) The test may include a question regarding fuel efficient driving techniques.

(f) The department may waive the test under circumstances described in ORS 807.072.

(3) A test that is an actual demonstration of the applicant's ability to operate a motor vehicle without endangering the safety of persons or property. The following apply to this subsection:

(a) The actual demonstration for each class of license shall be performed in a vehicle that may be operated under the class of license sought, but that may not be operated under lower classes of license.

(e) The department may waive the demonstration under circumstances described in ORS 807.072.

(4) Any other examination or test, including demonstrations, that the department determines may be necessary to assist the department in establishing whether the applicant is eligible for a license under ORS 807.060 or whether the applicant is fit to operate a motor vehicle safely on

the highways of this state. In any examination or test under this subsection, the department shall only conduct an investigation for facts relating directly to the ability of the applicant to operate a motor vehicle safely or other facts that are specifically required to show the fitness of the applicant for license.

**807.072 Waiver of certain examinations, tests and demonstrations; rules.** (1) The Department of Transportation, by rule, may waive any examination, test or demonstration required under ORS 807.065 (1)(b) or 807.070 (2) or (3) if the department receives satisfactory proof that the person required to take the examination, test or demonstration has passed an examination, test or demonstration approved by the department that:

(b) Is given in conjunction with a motorcycle rider education course established under ORS 802.320;

(7) The department by rule may waive the test required under ORS 807.070 (2) for a person who applies for a motorcycle endorsement if the person:

(a) Holds a valid out-of-state driver license that authorizes the person to operate a motorcycle; or

(b) Applies for a motorcycle endorsement within one year after the expiration date of a valid out-of-state driver license that authorizes the person to operate a motorcycle.

(8) The department by rule may waive the actual demonstration required under ORS 807.070 (3) for a person who is applying for a restricted motorcycle endorsement that only authorizes the person to operate a motorcycle with more than two wheels.

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## FEES

**807.370 License, endorsement and permit fees.** The following are the fees relating to the issuance and renewal of licenses, driver permits and endorsements:

(18) Original endorsement issuance fee under ORS 807.170 for a motorcycle endorsement, \$46, in addition to any fees for the endorsed license.

(21) Motorcycle Safety Subaccount fee as follows:

(a) Upon original issuance of motorcycle endorsements under ORS 807.170, \$38.

(b) Upon renewal of a license with a motorcycle endorsement under ORS 807.170, \$28.

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## How Oregon Motorcyclists Money Can Be Used

**802.340 Transportation Safety Account; uses; Motorcycle Safety Subaccount.** (1) The Transportation Safety Account is established in the General Fund of the State Treasury. Except

as provided in subsection (2) of this section, all money credited to the account established under this section is appropriated continuously for and shall be used by the Department of Transportation to carry out the following purposes:

(2) There is established in the account created under subsection (1) of this section a subaccount to be known as the Motorcycle Safety Subaccount. The subaccount shall consist of moneys credited to the subaccount under ORS 807.370 and as otherwise provided by law. The subaccount shall be accounted for separately. Moneys in the subaccount are continuously appropriated to the department for and shall be used to carry out the purposes provided under ORS 802.320.

**802.320 Motorcycle safety program; contents; fees; contracts.** (1) In addition to any duties under ORS 802.310, the Department of Transportation, in consultation with the Transportation Safety Committee, shall establish a motorcycle safety program that complies with this section to the extent moneys are available for such program from the Motorcycle Safety Subaccount under ORS 802.340. The program established may include the following:

- (a) Motorcycle safety promotion and public education.
- (b) The development of training sites for courses approved by the department to teach safe and proper operation of motorcycles and mopeds.
- (c) Classroom instruction and actual driving instruction necessary to teach safe and proper operation of motorcycles and mopeds.
- (d) The development of a mobile training unit.
- (e) The acquisition of films and equipment that may be loaned to the public for the encouragement of motorcycle and moped safety.
- (f) Advice and assistance, including monetary assistance, for motorcycle safety programs operated by government or nongovernment organizations.
- (g) Other education or safety programs the department determines will help promote the safe operation of motorcycles and mopeds, promote safe and lawful driving habits, assist in accident prevention and reduce the need for intensive highway policing.

(2) Subject to the State Personnel Relations Law under ORS chapter 240, the department shall employ such employees as the department determines necessary to carry out the purposes of this section to:

- (a) Advise and assist motorcycle safety programs in this state.
- (b) Act as a liaison between government agencies and advisory committees and interested motorcyclist groups.

(3) The department may provide for the performance of training and other functions of the program established under this section by contracting with any private or public organizations or entities the department determines appropriate to achieve the purposes of this section. The organizations the department may contract with under this subsection include, but are not limited to, nonprofit private organizations, private organizations that are operated for profit, public or private schools, community colleges or public agencies or political subdivision.

(4) The department may charge a fee for services provided under the program established under this section. Any fee charged by the department under this subsection must be established by rule and may not be in an amount that will discourage persons from participating in safety programs offered by the department under this section.