

TRANSPORTATION SAFETY PROGRAMS AND TRAFFIC SAFETY EDUCATION

802.300 Transportation Safety Committee; members, compensation, expenses; staff. (1)

The Transportation Safety Committee is created within the Department of Transportation to advise the department and the Oregon Transportation Commission concerning the functions described under ORS 802.310 and to perform any other functions related to transportation safety that the commission delegates. The committee established under this section shall consist of five members appointed by the Governor on the recommendation of the commission. The term of office of each member is four years. Before the expiration of the term of a member, the Governor shall appoint a successor. A member is eligible for reappointment. In case of a vacancy for any cause, the Governor shall appoint a person to fill the office for the unexpired term.

(2) The Governor shall appoint one member of the committee established under this section as the chair and another member as vice chair.

(3) A member of the committee established under this section is entitled to compensation and expenses as provided under ORS 292.495.

(4) The Director of Transportation may appoint assistants, consultants, clerical staff and other employees needed to carry out the purposes of the committee but shall, as much as possible, consolidate the staff and coordinate the activities of the committee with other staff and activities of the department. [1983 c.338 §119; 1991 c.453 §6; 1993 c.741 §77]

802.310 Transportation safety programs; administrator. (1) The administrator for transportation safety shall serve as the Governor's representative for highway safety in conformity with the Federal Highway Safety Act of 1966. The Director of Transportation and the Oregon Transportation Commission shall be responsible to the Governor for the administration of the state transportation safety programs. All reports and recommendations relating to program evaluations, assignment of responsibilities and approval of plans and activities shall be provided to the Governor by the commission.

(2) The Department of Transportation, in consultation with the Transportation Safety Committee, shall do the following:

- (a) Organize, plan and conduct a statewide transportation safety program.
- (b) Coordinate general activities and programs of the several departments, divisions or agencies of the state engaged in promoting transportation safety.
- (c) Provide transportation safety information and develop other measures of public information.
- (d) Cooperate fully with all national, local, public and private agencies and organizations interested in the promotion of transportation safety.
- (e) Serve as a clearinghouse for all transportation safety materials and information used throughout the state.
- (f) Cooperate in promoting research, special studies and analysis of problems concerning transportation safety.
- (g) Make studies and suitable recommendations to the legislature concerning safety regulations and laws.

(3) The department shall review plans and applications for participation by counties and cities in the federal government highway safety programs conducted under the Federal Highway Safety Act of 1966 and any amendments thereto. The committee shall make recommendations to

the department regarding the approval of plans and applications under ORS 802.315. [1983 c.338 §873; 1991 c.453 §7; 1993 c.741 §78; 2005 c.70 §4]

802.315 Department authority to apply for and receive federal highway safety program grants and other funds; local government program participation. (1) The Department of Transportation, with the advice of the Transportation Safety Committee, may apply for, accept, receive and disburse grants available from the federal government or any of its agencies to carry out approved state highway safety programs conducted under the Federal Highway Safety Act of 1966 and the amendments thereto.

(2) The department may accept funds from other sources and enter into such contracts or agreements and do all things necessary to receive such funds for the purposes of carrying out in this section and ORS 802.300, 802.329, 802.331 and 802.340. However, funds shall not be accepted that are subject to a restriction or condition that is in conflict with any law of this state.

(3) The department, considering the recommendations of the Transportation Safety Committee, shall approve plans or applications for participation by counties and cities in the federal government highway safety programs conducted under the Federal Highway Safety Act of 1966 and any amendments thereto. The approval of plans and applications shall be done in accordance with the uniform standards of the federal government regarding such programs. Subject to any conditions of the grant, the department shall disburse any funds received from the federal government or any of its agencies for county and city highway safety programs. [Formerly 802.410]

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. [1985 c.16 §442; 1989 c.427 §3; 1991 c.453 §8; 2015 c.138 §22]

802.325 Bicycle safety program; contents; fees. (1) The Department of Transportation, **in consultation with the Transportation Safety Committee**, shall establish a bicycle safety program that complies with this section to the extent moneys are available for such program. The program established may include the following:

(a) Bicycle safety promotion and public education.

(b) Advice and assistance for bicycle safety programs operated by government or nongovernment organizations.

(c) Classroom instruction and actual riding instruction necessary to teach safe and proper operation of bicycles.

(d) Bicycle education and information that assist police agencies in the enforcement of bicycle laws.

(e) Other education or safety programs the department determines will help promote the safe operation of bicycles, promote safe and lawful riding habits and assist in accident prevention.

(2) The department shall act as a liaison between government agencies and advisory committees and interested bicyclist groups.

(3) The department may accept donations and solicit grants to enable the department to carry out the functions of this section.

(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. [1987 c.683 §2; 1991 c.453 §9; 2015 c.138 §23]

802.329 City and county highway safety program participation authorized. Any city or county may participate in the highway safety program and do all things necessary to secure the benefits available under ORS 802.310 and 802.315 and under the Federal Highway Safety Act of 1966 and any amendments thereto. [Formerly 802.420]

802.330 [1983 c.338 §138; repealed by 1991 c.453 §17]

802.331 Highway Safety Trust Account. The Highway Safety Trust Account is established separate and distinct from the General Fund. All moneys received by the Department of Transportation under ORS 802.315 shall be paid into the State Treasury and credited to the account established under this section. All moneys in the account established under this section

are continuously appropriated for and shall be used by the department in carrying out the purposes for which the funds were received. [Formerly 802.400; 2003 c.81 §12; 2005 c.22 §514]

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:

(a) Payment of the per diem, travel and other expenses of the Transportation Safety Committee.

(b) Payment of the expenses of the department in performance of its duties related to transportation safety.

(c) Functions or programs established under ORS 802.315.

(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. [1983 c.338 §139; 1985 c.16 §41; 1991 c.453 §10; 1993 c.741 §79]

802.345 [1999 c.328 §4; renumbered 336.802 in 2013]:

336.802 (1) The Department of Transportation, **in consultation with the Transportation Safety Committee**, shall establish a curriculum for a traffic safety education course under ORS 336.800. The curriculum shall establish standards for a course of instruction to be devoted to the study and practice of rules of the road, the safe and proper operation of motor vehicles, accident prevention and other matters that promote safe and lawful driving habits and reduce the need for intensive highway policing. The course shall include classroom instruction and on-street driving or simulated driving in a driving simulator. No pupil may participate in on-street driving instruction unless the pupil is enrolled in or has completed a course in classroom instruction.

(2) The department shall adopt by rule a procedure to certify that a traffic safety education course meets curriculum standards established under subsection (1) of this section.

(3) The department shall adopt rules establishing qualifications for a person to teach a traffic safety education course.

(4) The department shall adopt rules necessary to administer ORS 336.805 and 336.810. [Formerly 802.345]

Note: 336.802 and 336.804 were added to and made a part of 336.790 to 336.820 by legislative action but were not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

802.348 Membership of advisory committees must reflect state racial, ethnic and ability composition. (1) The Department of Transportation shall ensure that the membership of advisory committees to the department reflects the racial and ethnic and ability composition of this state as determined by the most recent American Community Survey from the United States Census Bureau.

(2) Subsection (1) of this section applies to all advisory committees to the department, including but not limited to:

- (a) The Continuous Improvement Advisory Committee established in ORS 184.665.
- (b) The Freight Advisory Committee established in ORS 366.212.
- (c) The Road User Fee Task Force established in ORS 184.843.
- (d) Any stakeholder forum established under ORS 366.215.
- (e) The advisory committee on vehicle dealer regulation established in ORS 802.370.
- (f) The advisory committee on bicycle traffic established in ORS 366.112.
- (g) The Transportation Safety Committee established in ORS 802.300. [2021 c.15 §1]

Note: 802.348 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.