



Oregon Parks and Recreation Department
ATV Advisory Committee (ATV-AC)
Oregon Exposition Center - Hart Bldg.
Salem, OR
March 17, 2010

Approved Minutes

Committee members present: Pat Harris, Chair; Tim Custer, Vice-Chair; Wade Bryant, Steve Doane, Chris Knauf, John Lane, Rod Roberts, Nathan Seable, Jimmy Smith, and Wendy Zustiak

Committee members not present: Lisa Millet, Troy Costales

Guests: Michelle O'Leary, ODOT Motorcycle Program Manager (attending for Troy Costales); Matt Laidler, DHS (attending for Lisa Millet), and Patrick Brennen, Legislative Committee staff

Staff present: Ian Caldwell, Mike Law, Ron Price, and Pamela Berger

Chair Harris called the meeting to order at 9:15 AM

Introductions of staff, committee members, and guests.

Minutes

MOTION: Rod moved the approval of the March 3, 2010 minutes with the inclusion of Wendy Zustiak being present.

Tim seconded. The motion passed unanimously.

Agenda review

Housekeeping items

Mission Statement Task Force Report

Task Force members (Ron, Nathan, Wade, and Pat) drafted the following mission statement / problem statement that members reviewed.

"The All-terrain Vehicle Advisory Committee's mission is to make a positive difference in the OHV recreational experience by interacting with the public and utilizing resources in making recommendations to the OPRD Commission regarding off-highway vehicle classifications, safety requirements in all classes to protect riders and the future funding of ATV grant projects.

The ATV Advisory Subcommittee purpose is to interact with the public and utilize resources to review and make recommendations to OPRD regarding the funding of ATV/OHV grants in the following categories; operation and maintenance, law enforcement, emergency services, land acquisition, planning, future development of ATV/OHV trail opportunities, and safety education in Oregon's OHV recreation areas."

MOTION: Tim moved to remove “and safety education”.
Rod seconded. Passed unanimously.

Accident Reporting Task Force Report

John read the following summary from a 3/9/2010 teleconference Accident Reporting Subcommittee focusing on mandatory reporting for Class I and III ATVs.

Present were Lisa Millet (DHS), Chris Knauf (BLM), Ron Price (OPRD) and John Lane (OPRD). Cpl Rod Roberts (Coos County SO) was not present.

1. Why would a person not self report an ATV injury accident to law enforcement?

We, the task force, should come up with a list of reasons why a person would not voluntarily submit an injury accident report to law enforcement as well as reasons why a person would submit a report. Lisa suggested that we could get help on developing this list by asking riders. This could be done by:

Developing an online survey and broadcast the link to riders who have taken the on-line course and have opted for receiving emails from OPRD

Asking law enforcement officers and trail managers to perform an informal survey

Create two focus groups, one comprised of riders and one comprised of law enforcement officers, tasked to develop list and assist in defining what we want to know for key questions.

2. What are the current requirements of a law enforcement officer when responding to an injury accident? We need to get a handle on this. How many counties have policies on this? BLM? USFS?

3. With regard to data collection

Chris told us more about the anonymous report done by law enforcement in California which seemed to assist in adding crucial accident information to their database.

We can make a detailed LEO report form and have it be a grant recipient requirement. It would be voluntary for all existing grantees, but that shouldn't be a problem if they know why it's being done.

By E-mail Lisa responded to the above summary:

I would add that we need to develop a question set for each of these groups and for each data collection method such as key informant interview, electronic survey, and focus group. Typically I would start with a handful of questions and contact some key informants then I would use what I learned to develop a survey if I wanted a larger number of people to confirm. After that if I want to know more about how people might respond to messages or ideas. I would use focus groups where participants' interactions and exchanges might enhance the information gathering. We should generate a few basic questions and field them with riders, law enforcement, insurance companies (both health and property), and medical folks.

Class Definitions

Members reviewed definitions for ATV classes and vehicles (ORS 801), accidents (ORS 811), ODOT reporting (ORS 811), and LEO reporting (ORS 811) as prescribed by the appropriate statutes. They discussed requirements and access of motor vehicle and ATV accident reporting. John said the task force will meet again to develop an action plan and will further discuss this process with a representative from DMV.

Safety Equipment

Members discussed safety equipment and safety features including after-market items, protective clothing; lamps, tethers, remote operated safety switches, safety leashes, flags and responsibilities of manufacturers versus states. Ron noted that the Safety Committee Task Force will report at the April 28, 2010 meeting.

Class IV

MOTION: Tim moved to accept the following language:

ORS 801.195 "Class IV all-terrain vehicle." "Class IV all-terrain vehicle" means any motorized vehicle that;

- (1) Has four or more low pressure tires designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain;
- (2) Has non-straddle seating;
- (3) Has a steering wheel for steering control,
- (4) Weighs 1,500 lbs or less dry weight,
- (5) 65 inches wide or less at the widest point

Commonly referred to as a "Recreational Off-highway Vehicle" (ROV), "Utility vehicle" (UTV) or "side-by-side"

Wendy Seconded. Passed unanimously.

Class II

MOTION: Pat moved to accept the following language:

801.193 "Class II all-terrain vehicle." "Class II all-terrain vehicle" means any motor vehicle that:

- (1) Weighs more than 1, 500 lbs dry weight or is wider than 65 inches;
- (2) Is not a Class IV all-terrain vehicle as defined in ORS 801.195
- (3) Is designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain; and
- (4) Is actually being operated off a highway or is being operated on a highway for agricultural purposes under ORS 821.191.

Commonly referred to as a "jeep," "truck," "dune buggy" or "sand rail"

Rod Seconded. Passed unanimously.

Class III

Members discussed statutes pertaining to Class III noting that if low pressure tires were put on a Class III vehicle it would become considered a Class I vehicle, which could be confusing for law enforcement. They also discussed the need to change the age limitation for class III riders to be the same for Class 1 (age 7), which would remove discrimination for either class. John suggested removing minimum age requirements and keep the rider fit for both classes by

merging the two. John will draft language for the committee to review at the next meeting (April 28, 2010).

Class I

MOTION: Tim moved to accept the following language:

ORS 801.190 "Class I all-terrain vehicle. Class I all-terrain vehicle" means a motorized, off-highway recreational vehicle 50 inches or less in width and with a dry weight of 900 pounds or less that travels on three or more low pressure tires, uses handlebars for steering, has a seat designed to be straddled by the operator, and is designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain.

Jimmy Seconded. Passed unanimously.

Next Meeting

Members agreed to meet on April 28, 2010.

Working Lunch

Helmets

Members conversed on the pros and cons of mandatory helmets noting that it will cause an issue for hunters and can be difficult to wear one when riding a razor. Possible exemptions were discussed (i.e. for law enforcement).

Tim noted for the record that he his not in favor of mandatory helmets but would support the concept if it were limited to riders under 18 years of age for Class II

Riding two-up

Members discussed riding two people on an ATV, restricting two youths on an ATV at one time (821.197), riding in trailers, foot pad and floor pans (if their feet cannot reach the foot pads then they are not legal), kids in car seats

John noted there are two statues which need to be changed. 821.198 would need changing in order to cite parents for allowing their kids to ride two up.

Rod said if you own a vehicle then police can cite the owner of an ATV for someone else taking unlawful actions.

Mandatory Registration

Due to time restraints, this item was tabled until the April 28, 2010 meeting.

Chair Harris adjourned the meeting at 1:47 PM

ATV-AC Grants Subcommittee Meeting

Subcommittee members in attendance: Tim Custer, Chair; Rod Roberts, Vice-Chair; Wade Bryant, Steve Doane, and Pat Harris

Staff present: Ian Caldwell, Mike Law, Ron Price, and Pamela Berger

Chair Custer called the subcommittee meeting to order at 2:00 PM

Members and staff reviewed the grant applications, scoring sheets, and the scoring processes in preparation of the April 8 & 9, 2010 grant meeting. They discussed scoring criteria, setting a minimum score, and the use of discretionary points.

Chair Custer adjourned at 3:00 PM

Submitted by,

Pamela Berger
ATV Grants and Agreements Coordinator