



Oregon Parks and Recreation Department  
ATV Advisory Committee (ATV-AC)  
Grant Subcommittee Meeting  
State Fair & Expo Center Cascade Hall  
Salem, OR  
May 18, 2010

### **Approved Minutes**

Committee members in attendance: Troy Costales, Tim Custer, Steve Doane, Rod Roberts, Nathan Seable, Jimmy Smith, Wendy Zusiak, and John Lane

Committee members not attending: Wade Bryant, Pat Harris, Lisa Millet and Chris Knauf

Staff present: Wayne Rawlins, Ron Price, Ian Caldwell, and Carrie Lovellette

Vice-Chair Custer called the meeting to order at 8:45 a.m.

### Approval of April 28, 2010 Minutes

Motion by Troy Costales. Seconded by Jimmy Smith. The minutes were approved unanimously.

### Accident Reporting Task Force

Rod: Coos County Sheriff's Office uses the DMV crash form, but if it is ATV related, the DMV files them away and does nothing with them. The form is usually used for crashes on paved streets.

The information that we should collect:

- have they taken the online training;
- hands on training; and
- how long have they been riding;
- if they have insurance;
- do they have safety gear;
- have a list of items people have; and
- what caused the accident (that would help with setting criteria for online and in person training).

John: The goal is to develop a check list for a card for law enforcement to use as a "go to" by for writing a report so we get the information we need.

Tim: "At a glance card".

Rod: Asked Troy about DUII crashes. Do they keep it or do they toss it? Class II fits in the DMV report form but the others don't.

Troy: They capture the information if it affects someone's driving record. Should there be voluntary or mandatory reporting, and to whom? There should be an ATV Supplemental Form so we can decide what kind of information we're looking for, and have OPRD collect the information.

John: We could use law enforcement reports, but we have not come up with a process.

Ron: This information may be tied to law enforcement grants and could come back to OPRD.

Tim: This data could be merged into the information from the DHS study. We don't take the police reports to call information out. This is just part of the grant. Is there any value in seeing if there is an ATV sticker?

Rod: There is no value to the data unless the officer knows to write a citation.

Troy: If a person had a grant, we could require them to report the information.

Rod: Some crashes will not be investigated by law enforcement, but may be reported to DHS.

### On-Hands Training

John: We need more feedback because we have a huge training coming up. There aren't enough instructors. .

Steve: PCC and MHCC have offered their parking lots, staff, etc. for training.

Rod: Blacktops for quad training could be dangerous. Maybe rural areas would have the right surfaces to train on. Will this cover Class III?

John: This is first phase and Class III will be in the second phase.

Ron: Another issue is if someone wants to do the training in Washington but come to Oregon to ride.

Tim: Are we going to subsidize?

John: We can subsidize \$45 of the \$55 fee.

Wayne: The public should have opportunities for free instruction through clubs, and if they want to become a member of a club then it's okay.

John: ASI's class is four hours.

Troy: Anyone who signs up for class can get it within 90 days and within 50 miles of their home. Do they supply the ATV to train on?

John: It's not stipulated.

Rod: ASI instructors get bikes to train on.

Troy: Instructors will need to know about different types of vehicles, safety equipment, etc. The liability will be high.

John: This is not included in the contract, but it will be included in the curriculum. The Oregon Administrative Rules stipulate that there are prerequisite requirements for training—goggles, boots, helmet, etc. They are going to want students to bring their own machine so it can be rider-fit tested. The programs will be based on our minimum standards. 4-H and FAA have good relationship with expo centers – which are good training sites.

Wendy: There will be a big push in the winter and families are not going to want to take their kids out in the rain. Our people are going to take a beating because this is required in such a short time. If there was some information we can hand them to explain the whole process and why.

John: We want to push people into getting training right now but for some reason people are waiting until it's actually required. All we can do is spread the word to encourage people to get training now. We have signs up and posters, etc.

Wendy: Would like something simple to hand to people.

John: We have business card size card with all the training requirements to hand to people.

Rod: Various weather conditions make it more realistic for kids.

Tim: Do dealers display training posters?

John: They just came in. We do have a media plan, emails, direct postcards and press release.

Nathan: Will there be any training opportunities or just a citation period?

John: I can't tell them to not write a citation. We did have them take it easy on the first year and it worked very well.

Nathan: There will be a big group to wait to get trained so it will help. There is a whole menu of training options – are trainers are getting paid?

John: Not all of them; some are volunteers. ASI trainers get \$40 a person.

Nathan: If there was a club to offer free training who would incur the cost of the training.

John: There are Safety Education grants.

Tim: No labor costs are covered in the grants.

Tim: Money for contract – is that in the budget or do we need a motion?

Wayne: The ATV fund is paying and it's just administrative costs, so no motion is necessary.

### Definitions

#### ATV Class IV

Rod : 4 or more tires, low pressure applies to class I & IV, and 14 inch or less

Ron: After market tires are being made this size. Will this limit us? The break is at 14" for low pressure. Will this create a problem later on?

Jimmy: The problem is that I see larger rigs coming in the future

Tim: if they go larger they go into a different class. Class II says "Is not a Class IV", so do you need the low pressure tire definition.

Ian: Suggests that 807 exemptions to ride 1 and 3 without drivers license.

**Motion:** Troy moved to recommend that the class I, II, III, IV and low pressure tire definitions be given to OPRD and the Oregon Parks Commission as legislative concept language for the current classification placeholders Rod second the motion.

"801.190 Class I all-terrain vehicle. "Class I all-terrain vehicle" means a motorized, off-highway recreational vehicle that:

- (1) Is 50 inches or less in width;
- (2) Has a dry weight of 900 pounds or less;
- (3) Travels on three or more low pressure tires;

- (4) Uses handlebars for steering;
- (5) Has a seat designed to be straddled by the operator; and
- (6) Is designed for or capable of cross-country travel on or immediately over land, water, sand, snow, ice, marsh, swampland or other natural terrain.

Commonly referred to as an ATV, quad, or three-wheeler. [1985 c.459 §2; 1995 c.775 §9; 1997 c.228 §1]

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

- (1) Weighs more or is wider than a Class I all-terrain vehicle;
- (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. [1987 c.587 §2; 2005 c.227 §1; 2007 c.207 §1]

801.194 Class III all-terrain vehicle. "Class III all-terrain vehicle" means a motorcycle that travels on two tires and is actually being operated off a highway.

Commonly referred to as a dual-sport, enduro, or dirt-bike. [1989 c.991 §2]

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) Has a dry weight of 1,500 lbs or less; and
- (5) Is 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

Low-pressure tire: Any pneumatic tire six inches or more in width and utilizing an operating pressure of 10 pounds per square inch or less as recommended by the manufacturer."

**Vote:** The motion passed unanimously. Motion passed.

## Rider Fit

Ian: Create "rider fit" language to go along with manufacturer recommendations and if there are no manufacturers, then have a default of 16-years or older. Perhaps use the engine cc size, weight and length of machine.

Troy: I see three options: 1) class IV 16 years and older, 2) any age, or 3) hybrid engine size weight etc.

John: 16-years and older would be in line with other states.

Rod: Where do all the vehicles fall into?

John: Other states say quads are straddle seats.

Tim: We can go with manufacturer & rider fit.

Rod: Some manufacturers don't put stickers on the vehicles.

Jimmy: We don't want to exclude kids when adults provide assistance.

Tim: Uncomfortable with excluding kids riding side-by-sides.

Rod: Youth need more guidance with these larger OHVs. With Class IV we could require an adult to ride in the OHV with the minor.

Ian: Some OHVs only have one-seat. We are talking about the power that would be limiting to the kids.

Tim: Thinks we should use manufacturer and rider fit language.

Rod: Engine size hp/cc also needs to be included.

Steve: Adult supervision is still needed.

Rod: Not all manufacturers stamp the ccs on their engines.

Tim: We should address youth size class IV and full-size class IV age requirement. Is June 30th too late to figure this out?

Ron: We need a written report by Sept. 21, 2010 which will be an update. The actual presentation is December 14, 2010.

Wayne: Discusses the Administrative Rule process. There should be a positive outreach recommendation by the committee.

Safety Equipment Task Force

Rod: There is a battle going on regarding eliminating firearms on quads

Ian: ORS 821 is an OPRD statute that states an operator shall not operate an ATV with a concealed weapon.

Rod: Wants to add exemption for off-duty officers.

Tim: Supports off-duty officers being allowed to carry.

Committee Report to Legislative Interim Committee

Ron: The committee will need to write the Legislative Report; with assistance from staff.

Troy: This will be the first published document that people will refer to from this point on so it's important to get it the way we want it.

Tim: Would like Wade and Chris to review the Class IV language.

Next Meeting Date: June 30, 2010

Public Comment: No public comment.

Vice-Chair Custer adjourned the at 2:20 p.m.

Submitted by,

Carrie Lovellette