

**Oregon State Parks**  
**ATV Sound & Equipment Rulemaking Advisory Committee**

Meeting Notes July 16, 2025

Zoom Meeting 1-3pm

**Rulemaking Advisory Committee Members on call**

Virgle Osborne – ATV Advisory Committee Member, (Class II and Chair) – House 2 Roseburg State

Barrett Brown – ATV Advisory Committee Member (Class III)

Dustin James – ATV Advisory Committee Member (ATV Dealer)

Jody Phillips – ATV Advisory Committee Member (Rural Fire)

Colleen O’Hogan – DMV

Grace Schuessler – Tread Lightly! Oregon Program Manager

Dawn Nelson – Neighboring Landowner in Sand Lake area

Rich Burkholder – Owner of Spinreel ATV Rentals

Charlie Day – Neighboring Landowner in South Dunes

Shane Gill – US Forest Service, Oregon Dunes National Recreation Area

Allen Young – US Forest Service Law Enforcement Officer – Sand Lake

Lieutenant Clint Galusha – Oregon State Police

Bradley Kaye – Lane County Sheriff’s Office

Thomas (TJ) Reilly – RTP Committee – Oregon State Snowmobile Association (OSSA)

Tim Custer – RTP Committee

**OPRD Staff on call**

Katie Gauthier

Michele Scalise

Ian Caldwell

Jeff Trejo

Meeting started 1:02pm

Ian (Powerpoint)

- Introductions
- ATV Program History
- Rule Review
- Sound Levels

### **Definition Document Review**

OPRD already has definitions in OAR 736-004-0015. Need to add “Off-Road Vehicle” and “Snowmobiles”. Need to re-number after #36.

### **Standards for off-road vehicles document review**

**Brakes.** Original Draft was to remove “Disc or Drum” and just require “brakes that are operable and effective in bringing the vehicle to a stop”. There is potential for electric vehicles to use regenerative braking to stop a vehicle. Colleen (DMV) suggested referencing ORS 815.125 which are standards for on road vehicles. Committee reviewed ORS and it calls for parking brakes on vehicles except motorcycles. Virgle – sand rails are not built with parking brake. Dustin – from SxS world, 50% of vehicles don’t have parking brakes – should be reworded. Tim – built over 30 rails never put a parking brake on one. Virgle – Disc or drum are pretty safe. Does not want to change to make most vehicles out of compliance. Colleen - must have braking system that brings it to a stop. Barrett – at a minimum, brakes must be operable and effective and come to a stop. Clint – agrees with Virgle regarding parking brake. Putting a vehicle in “park” is not actually a parking brake. Consensus was not to use the on-road standards for ATVs.

**Fire Extinguisher** – Keeping the law the same, just rewording. Currently Class II (jeeps, sand rails) and Class IV (side-by-sides) are required to have fire extinguishers.

**Flags required in sand.** Ian checked other states that require flags while operating in the sand and found they mostly require 6 inch tall flags, 12 inches wide and 8 feet off the ground. This included Washington, Idaho, California and Arizona. Oregon requires 8 inch tall and 9 feet off the ground. Suggestion to be consistent with other states. Many flags sold in Oregon are 6 or 7 inches tall. Ian checked with Sheriff’s offices in Oregon, who patrol ATV Dunes areas. They all allow American Flags, since 40% of the flag is red. Original Draft included “flag with at least 36 square inches of highly visible red or orange”. This would help clarify size of the flag if someone uses a country flag. USA flag at 8x12 would have 38.4 square inches of red.

Virgle – Riding dunes, doesn’t think the one foot is going to make a difference. Dustin – conformity between states is best. Bradley – one foot isn’t going to make a difference. Barrett – conformity is best across the region. Ian – lighted whip review. When you stop your vehicle, all your lights are going off. Bradley – lighted whips would be good at night. Ian – currently says you have to have headlights and taillights 1/2 hour after sunset. Could get complicated requiring more lights after dark.

**Section (g) Muffler, Section (h) Roll Bar, Section (j) Seat Belts** minor re-wording to work with definitions. Not changing requirements.

**Section (l) Headlight and Taillights** – Current law requires every vehicle to have a headlight and taillight. Draft rule would remove language requiring lights during the day. This rule has never been

enforced. Competition and many youth motorcycles and ATVs - are not manufactured with headlights or taillights. Clint – is there any definition for the color of light? Colleen – the color of lights is addressed. Katie – we can look that up in statute.

Follow up research: Headlight and Taillight are not defined in ORS 801. Headlights have standards in 816.050 and Taillights in 816.080, which call for white headlight and red taillight.

Ian – ORS 821.210 requires “snowmobiles” to have “a lighted headlight and taillight” at all times. Other ATVs operating in the snow are not required to have lights on. Often there is limited visibility in the snow and hard to see vehicles with no lights. Ian has heard from Law Enforcement that this is an issue. Recommendation is to require all vehicles to have lights on when operating in the snow. TJ – on snowy days it’s a huge safety concern.

Discussed attaching lanyard engine cutoff switch to the operator when operating a snowmobile with that is equipped with one. TJ – had an incident on Mt. Hood... a person hopped on a snowmobile and flipped resulting in leg injuries... she could not reach the cutoff switch. As a safety instructor this is important. This is a simple safety thing and have it in law. Ian – looked at Marine Board rule OAR 250-021-0030(2) and drafted this language:

(m) A person operating a snowmobile equipped by the manufacturer with a lanyard type engine cutoff switch must attach such lanyard to their person or clothing.

### **736-004-0160 Noise Control Regulations for off-road vehicles**

Max of 96 dBA, review of sound testing methods. 10 other states are at 96dBA.

Muffler cutouts and bypass valves were discussed. They are becoming more common in California. There are some newer vehicles, such as Ford Raptor which has them. Some people have them on race vehicles, such as for Hot Rods. Ian will work on language to allow vehicles to have bypass, but not allowed to use them when operating as an “ATV”.

(iv) Muffler cutouts, bypass valves or “defeat devices” are prohibited to be opened unless they are compliant with applicable noise and emission control regulations.

Ian – (C) – review of unreasonable noise. If you operate on the road, including sand roads, a person can be cited for “unreasonable noise”. But when you go to open sand, it no longer applies. There are times when conducting a sound test can be difficult with weather conditions, lack of sound meter officer safety or getting consent from operator. Law enforcement would be able to cite, based on their training for sound testing and knowledge of acceptable sound levels.

Unreasonable sound amplification. Chris Real (California) mentioned that people are having issues with loud music. Ian reviewed 815.232 which limits how loud music can be played, which applies to

“highway” and “premises open to the public”, which includes dunes and trails. Oregon already have the rule to enforce loud music.

Jody - this is beautiful. It takes a lot of the issues out of the noise test. He loves this.

Charlie – has worked as neighboring landowners for over 30 years. Jody and he, Shane... biggest problem is enforcement. There are several thousand residents affected in the south area. They have all these rules in place from the county, LE and Federal LEO... it all comes down to no enforcement. Is there a plan to ensure that we can make all these ideas work?

Ian – spoke early about funding mechanisms, can work with Operations and Maintenance programs for more education and courtesy sound checks. Work with Law Enforcement Officers and can track warning/citation activity. Upcoming LE Workshop will do sound meter training. We can update the ATV Handbook with new rules in 2026. Can update OPRD website immediately.

Charlie - Jody and he has worked for years... if they see a few people being cited could make a difference. Has worked with Chris Real and compromise is the name of the game. Search and seizure is an issue. What is unreasonable?

Ian – it’s kind of like reckless driving. Officer needs to be able to explain to judge the situation and what they witnessed. It’s vague but can be explained... when working in the sand dunes, they know what is loud. Ian – most people want to do the right thing. Hopefully it raises awareness.

Rich – agrees with Charlie, through the years one of the biggest influences is the budgetary constraints. Now only one federal LEO is shared amongst the West coast. We need to try to work locally. The off-road industry has increased over the years. The ambient sound (from sound systems) is becoming an issue. It’s going to come down to getting the local communities to help enforce.

Ian – Coos, Douglas, Lane and Tillamook Counties are funded by our program.

TJ – some states need to have a placard. Applaud for getting the officer a lot more leeway.

Ian – snowmobile sound levels are addressed in ORS 821.210.

Bradley – once we start writing citations, the word will spread quickly.

Barrett – talk about your conversations with DOJ about unreasonable noise.

Ian – biggest comment was about the year. They seemed fine with the unreasonable noise concept.

Review of Timeline Slide

Public Comment Period Month of August

Public Hearing – August 19<sup>th</sup> at 5pm – Zoom

Tim – on the Class II during sound test rpm range needs to be looked at or adjusted.

Ian – will talk to Chris Real about this.

Colleen – emailed statute regarding lighting color if you want to send out to committee.

Katie – Asked if there were any Fiscal or Economic Impacts?

Virgle – I don't think any changes will affect anyone other than police, others enforcing the laws.

Charlie – I don't think it would have any effect, maybe even a positive effect. It might change the culture

Jody – no major impact. Most people are law-abiding. Same with alcohol... we're going to lose people and when in fact it may enhance

Dawn – our community is fed-up with the rule-breakers. No impact and might be positive impact.

Ian – Wrap-up

Meeting ended at 2:56pm