

Committee on Judiciary
August 29, 1974

Section 114a, SB 1

Section _____. (Required position of equipment.) (1) No person shall drive any two-wheel motorcycle equipped with handlebars so positioned that the hands of the driver, when upon the grips, are at or above his shoulder height when sitting astride the seat.

(2) A person who violates the provisions of subsection (1) of this section commits a _____.

Section 6. (Protective headgear and eye device required.) (1)

A person commits the offense of failure to wear protective headgear if he fails to wear protective headgear of a type approved by the Motor Vehicles Division while he operates or rides on a motorcycle.

(2) A person commits the offense of failure to wear eye-protective device if he fails to wear eye-protective device of a type approved by the Motor Vehicles Division while he operates a motorcycle which has no windscreen.

(3) Failure to wear protective headgear or eye-protective device is a _____.

(4) This section does not apply to any person who is operating or riding on a vehicle [~~designed-to-travel-with-three-wheels-in-contact-with-the-ground-at-speeds-of-less-than-15-miles-per-hour.~~] within an enclosed cab.

COMMENTARY

A. Summary

Subsection (1) requires persons operating or riding on a motorcycle to wear protective headgear approved by the Motor Vehicles Division.

Subsection (2) requires the operator of a motorcycle to wear an eye-protective device unless the motorcycle is equipped with a windscreen.

Subsection (3) classifies violation of subsections (1) and (2).

Subsection (4) states an exception to the requirements of headgear and eye-protective device for the person either operating or riding a three wheel vehicle designed to travel at less than 15 miles per hour.

B. Derivation

The requirement for protective headgear of ORS 483.443 is restated in subsection (1). The requirement