

B-Engrossed
House Bill 2811

Ordered by the Senate June 22
Including House Amendments dated May 13 and Senate Amendments
dated June 22

Sponsored by Representative OLSON; Senator BURDICK

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Expands types of equipment or devices that may not be used in motor vehicle when vehicle is driven or moved on highway. **Specifies exceptions.**

A BILL FOR AN ACT

1
2 Relating to image display devices; creating new provisions; and amending ORS 815.240, 815.290,
3 820.400 and 821.010.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 815.240 is amended to read:

6 815.240. (1) **As used in this section, "image display device" means equipment capable of**
7 **displaying to the driver of a motor vehicle:**

8 (a) **A broadcast television image; or**

9 (b) **A visual image from a digital video disc or video cassette player.**

10 [(1)] (2) **Except as provided in subsection (3) of this section,** a person commits the offense
11 of unlawful use of [*vehicle television equipment*] **an image display device** if the person drives or
12 moves on any highway, or owns and causes or knowingly permits to be driven or moved on any
13 highway, any motor vehicle equipped with any [*television viewer, screen or other means of visually*
14 *receiving a television broadcast that is any of the following:*]

15 [(a)] *Located in the vehicle at any point forward of the back of the driver's seat.*]

16 [(b)] **image display device that is displaying a broadcast television image or a visual image**
17 **from a digital video disc or video cassette player that is visible to the driver while operating**
18 **the motor vehicle.**

19 (3) **Subsection (2) of this section does not apply to:**

20 (a) **Emergency vehicles; or**

21 (b) **Use of image display devices that are displaying images for navigational purposes.**

22 [(2)] (4) The offense described in this section, unlawful use of [*vehicle television equipment*] **an**
23 **image display device,** is a Class B traffic violation.

24 **SECTION 2.** ORS 815.290 is amended to read:

25 815.290. (1) In addition to any other specific exemptions provided for implements of husbandry,
26 implements of husbandry are exempt from any requirements under the following:

27 (a) ORS 815.075 and 815.100, relating to state requirements for vehicle equipment.

28 (b) ORS 811.515, 811.520, 816.040 to 816.290, 816.320, 816.330, 816.350 and 816.360, relating to

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 requirements for and use of lighting equipment.

2 (c) ORS 815.125 and 815.130, relating to brake requirements.

3 (d) ORS 815.180 and 815.185, relating to fender and mudguard requirements and use.

4 (e) ORS 815.210, relating to material in windshields.

5 (f) ORS 815.215, relating to requirements for windshield wipers.

6 (g) ORS 815.230, relating to vehicle sound equipment.

7 (h) ORS 815.235, relating to rearview mirrors.

8 (i) ORS 815.240, relating to [televisions] **image display devices** in vehicles. Limitations on the
9 use of [television equipment] **image display devices** in implements of husbandry are provided in ORS
10 820.400.

11 (j) ORS 815.250, relating to vehicle exhaust and exhaust equipment.

12 (2) This section does not exempt implements of husbandry from the requirements for equipment
13 and operation under ORS 820.400.

14 **SECTION 3.** ORS 820.400 is amended to read:

15 820.400. (1) A person commits the offense of unlawful operation of an implement of husbandry
16 if the person operates an implement of husbandry in violation of any of the following:

17 (a) Such vehicle must be driven as closely as is practicable to the right-hand edge of the
18 roadbed, including the shoulders, if any.

19 (b) Such vehicle, if the movement of the vehicle occurs during the hours of darkness, must be
20 equipped and operating two headlights, clearance lights and reflectors marking the overall width
21 as far as practical and visible from the front, rear and sides and a taillight.

22 *[(c) No television viewer, screen or other means of visually receiving a television broadcast shall
23 be operated in an implement of husbandry at any time while the implement of husbandry is being op-
24 erated on a highway.]*

25 **(c) An image display device may not be operated in an implement of husbandry at any
26 time while the implement of husbandry is being operated on a highway. As used in this par-
27 agraph, "image display device" has the meaning given that term in ORS 815.240.**

28 (d) Such vehicle must display, when driven, a slow-moving vehicle emblem described in ORS
29 815.060.

30 (2) The offense described in this section, unlawful operation of an implement of husbandry, is a
31 Class D traffic violation.

32 **SECTION 4.** ORS 821.010 is amended to read:

33 821.010. (1) Any motor vehicle designed for or capable of cross-country travel on or immediately
34 over land, water, sand, snow, ice, marsh, swampland or other natural terrain is exempt from the
35 sections governing vehicle equipment described in this section if the vehicle:

36 (a) Is operated in an area described under ORS 821.020; and

37 (b) Complies with the equipment requirements under ORS 821.040.

38 (2) The exemption under this section is an exemption from the prohibitions under all of the fol-
39 lowing paragraphs:

40 (a) Nonstandard lighting equipment under ORS 816.300.

41 (b) Required lighting equipment under ORS 816.330.

42 (c) Prohibited lighting equipment under ORS 816.360.

43 (d) Violation of state equipment administrative rules under ORS 815.100.

44 (e) Slow-moving vehicle emblem requirements under ORS 815.115.

45 (f) Mudguard and fender requirements under ORS 815.185.

- 1 (g) Visible emission limits under ORS 815.200.
 - 2 (h) Requirements for window materials under ORS 815.040.
 - 3 (i) Obstruction of windows under ORS 815.220.
 - 4 (j) Limits on sound equipment under ORS 815.225.
 - 5 (k) Sound equipment requirements under ORS 815.230.
 - 6 (L) Rearview mirror requirements under ORS 815.235.
 - 7 (m) Limits on [*television*] **image display device** use under ORS 815.240.
 - 8 (n) Exhaust system requirements under ORS 815.250.
 - 9 (o) Speedometer requirements under ORS 815.255.
 - 10 (p) Disposal system requirements under ORS 815.260.
 - 11 (q) Helmet requirements under ORS 814.260 to 814.280.
 - 12 **SECTION 5. The amendments to ORS 815.240 and 820.400 by sections 1 and 3 of this 2005**
 - 13 **Act apply to offenses committed on or after the effective date of this 2005 Act.**
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