

Oregon Revised Statutes Chapter 815

(Loads) Bicycle Equipment Requirements

815.265 [1983 c.338 §499; repealed by 2001 c.335 §5]

815.270 Operating vehicle that is loaded or equipped to obstruct driver; penalty. (1) A person commits the offense of operating a vehicle that is loaded or equipped to obstruct the driver if the person is operating a vehicle that is loaded or equipped or where baggage or an encumbrance does any of the following:

- (a) Substantially obstructs the driver's views to the rear, through one or more mirrors and otherwise.
- (b) Obstructs the driver's view to the front or sides.
- (c) Interferes with control of the driving mechanism.
- (d) Prevents the free, unhampered operation of the vehicle by the driver.

(2) The offense described in this section, vehicle loaded or equipped to obstruct driver, is a Class C traffic violation. [1983 c.338 §500; 1985 c.16 §259]

815.275 Failure to mark end of load with light or flag when required; penalty. (1) A person commits the offense of failure to mark the end of a load with a light or flag when required if the person drives or moves on any highway or owns and causes or knowingly permits to be driven or moved on any highway any vehicle with a load that extends to the rear four feet or more beyond the bed or body of the vehicle and the person fails to:

(a) Place end load lights described under ORS 816.290 at the extreme rear end of the load, in addition to any other rear light required upon every vehicle, at times when limited visibility conditions exist; or

(b) At any other time, display at the extreme rear end of the load a red flag or cloth not less than 12 inches square.

(2) The offense described in this section, failure to mark end of load with light or flag when required, is a Class C traffic violation. [1983 c.338 §501]

(Bicycles)

815.280 Violation of bicycle equipment requirements; penalty. (1) A person commits the offense of violation of bicycle equipment requirements if the person does any of the following:

(a) Operates on any highway a bicycle in violation of the requirements of this section.

(b) Is the parent or guardian of a minor child or ward and authorizes or knowingly permits the child or ward to operate a bicycle on any highway in violation of the requirements of this section.

(2) A bicycle is operated in violation of the requirements of this section if any of the following requirements are violated:

(a) A bicycle must be equipped with a brake that enables the operator of the bicycle to stop the bicycle within 15 feet from a speed of 10 miles per hour on dry, level, clean pavement.

(b) A person shall not install or use any siren or whistle upon a bicycle. This paragraph does not apply to bicycles used by police officers.

(c) At the times described in the following, a bicycle or its rider must be equipped with lighting equipment that meets the described requirements:

(A) The lighting equipment must be used during limited visibility conditions.

(B) The lighting equipment must show a white light visible from a distance of at least 500 feet to the front of the bicycle.

(C) The lighting equipment must have a red reflector or lighting device or material of such size or characteristic and so mounted as to be visible from all distances up to 600 feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle.

(3) Nothing contained in this section shall be construed to prohibit the use of additional parts and accessories on any bicycle consistent with this section.

Barry Joe Stull Feb. 10, 2010 #194

(4) This section does not apply to electric personal assistive mobility devices. Equipment requirements for electric personal assistive mobility devices are provided in ORS 815.284.

(5) The offense described in this section, violation of bicycle equipment requirements, is a Class D traffic violation. [1983 c.338 §502; 1985 c.16 §260; 1985 c.69 §5; 2003 c.158 §15; 2003 c.341 §17; 2007 c.821 §1]

815.281 Selling noncomplying bicycle headgear; renting or leasing bicycle without having approved headgear available; penalties. (1) A person commits the offense of selling noncomplying bicycle equipment if the person sells or offers for sale any bicycle headgear that does not meet the standards established by the Department of Transportation under ORS 815.052.

(2) A person commits the offense of unlawfully renting or leasing a bicycle to another if the person:

(a) Is in the business of renting or leasing bicycles; and

(b) Does not have bicycle headgear approved under ORS 815.052 available for rental for use by persons under 16 years of age.

(3) The offenses described in this section are Class D traffic violations. [1993 c.408 §5; 2003 c.158 §16]

(Motorized Wheelchairs)

815.282 Operating motorized wheelchair on bicycle lane without proper lighting equipment.

(1) A person commits the offense of operating a motorized wheelchair on a bicycle lane or path without proper lighting equipment if the person operates a motorized wheelchair on a bicycle lane or path and the person is not equipped with lighting equipment required of bicyclists under ORS 815.280.

(2) This section applies at the times described in ORS 815.280 for application of the lighting requirements of that section to bicyclists.

(3) The offense described in this section, operating a motorized wheelchair on a bicycle lane or path without proper lighting equipment, is a Class D traffic violation. [1991 c.417 §3b]

(Motor Assisted Scooters)

815.283 Violation of motor assisted scooter equipment requirements; penalty. (1) A person commits the offense of violation of motor assisted scooter equipment requirements if the person:

(a) Is the parent, legal guardian or person with legal responsibility for the safety and welfare of a child under 16 years of age and authorizes or knowingly permits the child to operate a motor assisted scooter on any highway in violation of the requirements of this section; or

(b) Operates a motor assisted scooter on any highway during times of limited visibility conditions and the motor assisted scooter is not equipped with, or the person does not use, lighting equipment that meets the following requirements:

(A) If the motor assisted scooter is equipped with lighting equipment:

(i) The lighting equipment must include a white light visible from a distance of at least 300 feet to the front and sides of the motor assisted scooter;

(ii) The lighting equipment must have a red reflector or lighting device, or material of such size or characteristic, mounted to be visible from all distances up to 500 feet to the rear when directly in front of lawful lower beams of headlights on a motor vehicle; and

(iii) The lighting equipment must have a white or yellow reflector or lighting device, or material of such size or characteristic, mounted to be visible from all distances up to 200 feet to the front of the motor assisted scooter.

(B) If the motor assisted scooter is not equipped with lighting equipment, the operator of the motor assisted scooter must wear:

(i) A white light mounted to be visible from all distances up to 300 feet to the front and sides of the motor assisted scooter;

Review Decisions

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Thu, November 6, 2008 2:35:58 PM

MOSER Amber <Amber.MOSER@mcdca.us>

From: ...

Add to Contacts

To: cannabisboo@yahoo.com

Cc: LENZSER Frederick <Frederick.LENZSER@mcdca.us>

PPB 0884582 Special.pdf (68KB)

Hello Mr. Stull,

I have finished reviewing all three cases currently pending with our office with you as the listed victim. Unfortunately, we are unable to issue any of these cases. Below is the reason for my decision on each of the three cases:

PPB 08-84582 (DA 2150522-1) – Incident Date 8/28/08

I originally reviewed and declined this case for insufficient evidence on 10/6/08. You later contacted our office and requested a follow up. You suggested that we 1) Order the video of this incident from TriMet; and 2) Interview the TriMet employee Cordell Hull.

As you already know, the video from that day no longer exists. I contacted TriMet and they informed me that videos are only kept for 72 hours unless otherwise specified.

I also requested that a follow-up interview be done with the TriMet employee Cordell Hull. Officer Scott contacted Mr. Hull on 11/03/08 and conducted an interview. Officer Scott's special report is attached to this e-mail in pdf format. As you can see, Mr. Hull was unable to provide any corroborating evidence to support the suspect's identity.

Finally, there is a recent Oregon Supreme Court decision from August of 2008 where the Court found ORS 166.065(1)(a)(b) – harassing and annoying another person by publicly insulting the person by abusive words or gestures – to be unconstitutional, holding that this statute infringed on free expression. (State v. Johnson 8/14/08)

For the above reasons we are declining prosecution for both insufficient evidence and legal impediment.

PPB 08-103579 (DA 2154425-1) – Incident date 10/16/08

I am declining this case for insufficient evidence of a suspect. The only evidence that we have linking Mr. William Lawrence to this case as a suspect is your testimony. We have no corroborating evidence to establish beyond a reasonable doubt that it was in fact Mr. Lawrence who stole your marijuana plants.

PPB 08-104179 – Incident date 10/20/08

As of this date, there is no suspect connected to this incident. For this reason, we are unable to issue charges.

Please let me know if you need any further clarification.

Sincerely,

Amber Moser Multnomah County District Attorney's Office Amber.moser@mcdca.us

TRANSIT POLICE DIVISION

SPECIAL REPORT

INFORMATION CLEARANCE P/WOF
 CONTINUATION SUPPLEMENTAL

CASE NO. **0884582** REFER CASE NO. CLASSIFICATION

1. UNFOUNDED 3. SUSPENDED 5. EXCEPTIONAL ORIGINAL REPORT DATE/TIME **082908 0300** THIS REPORT DATE/TIME **11-03-08 1640**
 2. PENDING 4. CLR BY ARREST 6. REFERRED

LOCATION OF OCCURRENCE
W. BURNSIDE / 148TH

PERSON CO-Complainant SB-Subject SI-Sick/Injured/Cared For PE-Park Exclusion
 CODE NAME: LAST FIRST MIDDLE SEX RACE DOB
W1 HULL, CORDELL EUGENE **M W 011961**

ADDRESS **4012 SE 17TH** ZIP **97202** PHONE **WK (503) 661-8141**

SUBJECT OF THIS REPORT
STATEMENT VIA PHONE RE: ABOVE CASE NUMBER

NARRATIVE/PROPERTY S-STOLEN L-LOST F-FOUND D-DAMAGED K-SAFEKEEPING R-RECOVERED
 (ITEM) CODE ITEM BRAND MODEL/STYLE SERIAL NO. COLOR ENGRAVINGS/PECULIARITIES SIZE VALUE

(6) SGT NIIYA () REQUESTED CASE FOLLOW-UP ABOVE LISTED CASE NUMBER.

SOURCE OF ACTIVITY: ON ABOVE DATE AND TIME SGT NIIYA ORDERED ME TO CONTACT A POSSIBLE WITNESS REGARDING A POSSIBLE HARASSMENT (SEE LISTED CASE NUMBER).

STATEMENT HULL: I TELEPHONED MR HULL AND INTRODUCED MYSELF. I ASKED HIM IF HE KNEW WHY I WAS CALLING. HE SAID YES. HE TOLD ME THAT HE WAS RIDING IN THE FRONT PORTION OF THE MAX WHEN HE HEARD SOMEONE YELL "GET AWAY FROM ME YOUR A CHILD MOLESTER IM GOING TO KILL YOU" OR WORDS TO THAT EFFECT. THE PERSON THAT WAS YELLED AT, WHO WAS IN THE REAR OF THE MAX WALKED TOWARDS THE FRONT AND SAT NEAR MR HULL. HULL TOLD THE PERSON HE SHOULD REPORT THE INCIDENT AND ASK FOR THE TAPE TO BE POLLED. HULL TOLD ME HE COULD NOT IDENTIFY OR REMEMBER WHAT THE SUSP LOOKED LIKE. HULL ADDED HE DID NOT SEE ANY PHYSICAL CONTACT BETWEEN THE MEN.

REPORTING OFFICER(S) **KSCOTT 26485** BPST PREC/DIV **TPD A** RLF/SHIFT **1763** ASSN/DIST SUPERVISOR'S SIGNATURE

CASE NO.

COPIES

- DET
- CAU
- Central
- East
- North
- TRF
- DA
- DVD
- ID
- Prop Room
- Crime Prev
- Intell
- Patrol Support

COMPUTER ENTRY

- Person
- OPR
- Vehicle
- OPR
- Crime/Prop
- OPR
- Book
- OPR

State Representative, 18th District



BARRY JOE STULL

Pacific Green

OCCUPATION: General Manager, Medi-juana; Medical Marijuana Farmer; VP/Secretary, Hemp Network, Incorporated; Musician; Writer; Social Justice Activist.

OCCUPATIONAL BACKGROUND: Hemp Historian; Solar Water Heater Installation and Service; Ship Repair; Food Service; Farm Work.

EDUCATIONAL BACKGROUND: Lewis & Clark College, B.A. Music; Portland Community College, A.A. Degree, Professional Music Certificate, Peace and Conflict Studies Certificate, each with Highest Honors.

PRIOR GOVERNMENTAL EXPERIENCE: PCC-Sylvania Student Senate President, 1995-96.

A Community Servant: Member of Amnesty International Group 48; Visions In Action; Benefit Performances.

Recognized by Governor Kitzhaber as an Oregon Student Scholar, 1996.

Prosecuted Stull vs. Hoke through the Oregon Supreme Court and increased poor peoples' access to the courts.

"Stull's not a career politician posturing for your vote; he fearlessly tackles government and racist police corruption head-on." - William Conde

"It's criminal when patients suffer without the medicine that helps them. Barry Joe Stull has changed that and continues his vital work." - Madeline Martinez, retired peace officer

CREATE JOBS AND SAFEGUARD OUR ENVIRONMENT: RELEGALIZE HEMP!

Oregon's State Seal features a hempen-covered wagon and ships with hempen sails and rope. Hemp, essential to the development of our culture, is illegal to grow in Oregon, so the food, fiber and tree-free paper sold in Oregon must be imported, and local jobs are denied. We cannot ethically continue to refuse our society the benefits of hemp agriculture and industry, as the incumbents do.

"long-time hemp activist." - Patty Wentz, *Willamette Week*, 01/19/00.

REDUCE TRANSPORTATION CONGESTION AND POLLUTION-

Livable urban neighborhoods reduce the need for automobiles, build relationships and protect wildlife habitat. Dedicated bikeways encourage healthy alternatives to parking and highway congestion and will end the bicyclist deaths from automobiles that discourage commuter bicycling. Electric buses can restore trolley lines to our neighborhoods.

EDUCATION NOT INCARCERATION- College students are being forced to subsidize prison construction. Prison costs have doubled while schools go underfunded. We must employ realistic alternatives to expensive incarceration.

Police accountability!

Drug treatment on demand.

Tax pollution, reward conservation.

(This information furnished by Barry Joe Stull.)

PORTLAND CITY COUNCIL
COMMUNICATION REQUEST
Wednesday Council Meeting 9:30 AM

Council Meeting Date: February 10, 2010

AUDITOR 01/25/10 PM 4:16

Today's Date January 25, 2010

Name Barry Joe Stull

Address PO Box 11008 Portland OR 97211

Telephone no phone per disability Email cannabisboo@yahoo.com

Reason for the request:

Portland Police Bureau patrol officers are
unlawfully stopping bicyclists claiming a need
for a back light where the state law only
requires red reflectors (or a red light).

Barry Stull
(signed)

- Give your request to the Council Clerk's office by Thursday at 5:00 pm to sign up for the following Wednesday Meeting. Holiday deadline schedule is Wednesday at 5:00 pm. (See contact information below.)
- You will be placed on the Wednesday Agenda as a "Communication." Communications are the first item on the Agenda and are taken promptly at 9:30 a.m. A total of five Communications may be scheduled. Individuals must schedule their own Communication.
- You will have 3 minutes to speak and may also submit written testimony before or at the meeting.

Thank you for being an active participant in your City government.

Contact Information:

Karla Moore-Love, City Council Clerk
1221 SW 4th Ave, Room 140
Portland, OR 97204-1900
(503) 823-4086 Fax (503) 823-4571
email: kmoore-love@ci.portland.or.us

Sue Parsons, Council Clerk Assistant
1221 SW 4th Ave., Room 140
Portland, OR 97204-1900
(503) 823-4085 Fax (503) 823-4571
email: sparsons@ci.portland.or.us

Request of Barry Joe Stull to address Council regarding Police stopping bicyclists that do not have a back light (Communication)

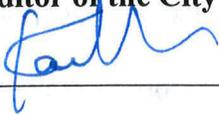
FEB 10 2010

8:44 AM FEB 10 2010

PLACED ON FILE

Filed FEB 05 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By 

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
1. Fritz		
2. Fish		
3. Saltzman		
4. Leonard		
Adams		