

Joint Committee on Ways and Means

Carrier – House: Rep. Gilman
Carrier – Senate: Sen. Monroe

Revenue: No revenue impact

Fiscal: Fiscal statement issued

Action: Do Pass

Vote: 14 – 3 – 5

House

Yeas: Buckley, C. Edwards, D. Edwards, Galizio, Gilman, Kotek, Nathanson

Nays: Garrard, Richardson

Exc: Jenson, Shields, G. Smith

Senate

Yeas: Bates, Carter, Johnson, Monroe, Nelson, Walker, Winters

Nays: Girod

Exc: Verger, Whitsett

Prepared By: Susie Jordan, Legislative Fiscal Office

Meeting Date: June 18, 2009

WHAT THE MEASURE DOES: Approves increased fees for Department of Transportation, Driver and Motor Vehicles Division for Farm Endorsement from \$26 to \$29; increases Motorcycle Endorsement fee from \$46 to \$49.

ISSUES DISCUSSED:

Legislative intent of SB 1080 (2008)

Revenue generated

Cost recovery

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The 2008 Legislature adopted Senate Bill 1080 requiring applicants for driving licenses to provide proof of U.S. citizenship or legal presence in the United States before the Oregon Department of Transportation can issue, renew or replace a driver's license, a driver's permit, or an identification card. The bill also raised specific fees to cover the costs of implementation, programming, and increased transactions costs. The vast majority of expenditures are directly related to the documentation requirements of establishing legal presence and the computer programming costs of changing the system to accept a variable expiration date linked to the length of time the individual is legally in the U.S. Currently, the system defaults to 8 years between expiration dates. ORS 807.375 allows a fee of up to \$3 in addition to any fee imposed under ORS 807.370 and 807.410 for each driver license, driver permit or identification card issued, renewed or replaced for the purpose of covering the costs of purchasing equipment and establishing and maintaining a database used for collecting and verifying biometric data. Two fees were not increased by statute to avoid the potential to paying the fee twice. The two fees are the farm endorsement fee and the motorcycle endorsement fee. Often a person will add a farm endorsement or motorcycle endorsement at the same time as getting the original Class C (Commercial Driver License) License or when renewing a license. If an additional fee had been added to the farm endorsement and motorcycle endorsement an applicant getting one or both of the endorsements at the issuance or renewal or another privilege would be paying the additional fee twice. ODOT believes it was the Legislature's intent that the cost for implementing SB 1080 would be spread across every issuance of a driver license. If no fee is put in administrative rule, the person would not pay an additional fee if adding the endorsement between original issuance and renewal. ODOT must issue a new license if a person adds a farm or motorcycle endorsement between issuance and renewal.

Persons may obtain a farm endorsement on a regular driver license (Non-Commercial Class C), provisional (Non-Commercial Class C) driver license, or any Commercial Driver License (CDL). This endorsed license authorizes the operation of Commercial Motor Vehicles (CMV) when: Controlled or operated by a farmer; Used to transport agricultural products, farm machinery, or farm supplies to and from a farm; Not used in the operation of a common or contract motor carrier; and Operated within 150 miles of the farmer's farm. A farm endorsement includes authorization to operate commercial motor vehicles equipped with air brakes, tankers, double trailers, and vehicles transporting hazardous materials, when the vehicle is properly placarded. A farm endorsement does not allow the transportation of farm workers or other passengers. The fee for farm endorsement is \$29. The fee covers the cost of administration. If the driver transports passengers, a CDL with a passenger endorsement is needed. Motor Carrier Transportation Division (MCTD) grants approval for farm registration. DMV can issue farm plates and stickers only after this approval.

A motorcycle endorsement authorizes the operation of any size motorcycle. Motorcycle riders are required to have a valid motorcycle endorsement on their license in the state of Oregon. You must have a valid driver's license to be eligible for an endorsement. There are two ways you can go about obtaining your endorsement: 1) go straight to DMV and take the endorsement test there, or 2) complete the Basic Rider Training Course (BRT) and bypass the DMV testing. Keep reading for details. Basic vehicle control and collision-avoidance skills are included in on-cycle tests to determine your ability to handle normal and hazardous traffic situations. The fee for the motorcycle endorsement is \$77 (\$49 covers the cost of administration and \$28 of this fee goes to fund TEAM OREGON). Team Oregon is a motorcycle safety program that provides training for motorcycle riders.