

**Enrolled**  
**House Bill 2261**

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Department of Transportation)

CHAPTER .....

AN ACT

Relating to provisional driver licenses; creating new provisions; and amending ORS 807.122.

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

**SECTION 1.** ORS 807.122 is amended to read:

807.122. (1) The Department of Transportation shall place the following restrictions on a provisional driver license issued under ORS 807.065:

(a) Except as provided in subsections [(2) and (3)] **(2) to (4)** of this section, for the first six months after issuance of the license, the holder of the license may not operate a motor vehicle that is carrying a passenger under 20 years of age who is not a member of the holder's immediate family. For the second six months, the holder of the license may not operate a motor vehicle that is carrying more than three passengers who are under 20 years of age and who are not members of the holder's immediate family.

(b) For the first year after issuance of the license, the holder of the license may not operate a motor vehicle between the hours of 12 midnight and 5 a.m. except when:

(A) The holder is driving between the holder's home and place of employment;

(B) The holder is driving between the holder's home and a school event for which no other transportation is available;

(C) The holder is driving for employment purposes; or

(D) The holder is accompanied by a licensed driver who is at least 25 years of age.

(2) Subsection (1)(a) of this section does not apply to the holder of a provisional driver license who:

(a) Is employed by a farmer, rancher or orchardist;

(b) Is operating, solely for employment purposes, a motor vehicle that is owned by the employer and for which financial responsibility requirements of ORS 806.060 have been met;

(c) Is transporting passengers who are employed by the same employer as the driver and who are being transported solely for employment purposes;

(d) Is not transporting more passengers than the number of available seat belts; and

(e) Has in the vehicle a written statement signed by the employer certifying that the driver is employed by the employer and that there is no other option for transporting the employees.

(3) Subsection (1)(a) of this section does not apply to the holder of a provisional driver license who is 16 or 17 years of age and who is operating a motor vehicle with:

(a) An instructor in the vehicle as part of a certified traffic safety education course; or

(b) A person in the vehicle who has valid driving privileges and who is the parent or stepparent of the holder of the license.

(4) Subsection (1) of this section does not apply to the holder of a provisional driver license who is 18 years of age or older.

**SECTION 2.** The amendments to ORS 807.122 by section 1 of this 2013 Act apply to provisional driver licenses issued before, on or after the effective date of this 2013 Act.

**Passed by House February 27, 2013**

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate April 30, 2013**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2013

**Approved:**

.....M,....., 2013

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2013

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Kate Brown, Secretary of State