

Enrolled
Senate Bill 36

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for Department of Transportation)

CHAPTER

AN ACT

Relating to driving privileges; creating new provisions; amending ORS 807.040, 807.050, 807.072, 807.110, 807.140, 807.285, 807.370 and 807.730 and section 15, chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37); repealing section 8, chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37); and declaring an emergency.

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

SECTION 1. ORS 807.072 is amended to read:

807.072. (1) The Department of Transportation, by rule, may waive any examination, test or demonstration required under ORS 807.065 (1)(b) or 807.070 (2) or (3) if the department receives satisfactory proof that the person required to take the examination, test or demonstration has passed an examination, test or demonstration approved by the department that:

- (a) Is given in conjunction with a traffic safety education course certified by the department under ORS 336.802;
- (b) Is given in conjunction with a motorcycle rider education course established under ORS 802.320;
- (c) Is given in conjunction with a course conducted by a commercial driver training school certified by the department under ORS 822.515; or
- (d) Is given in conjunction with an application for a special limited vision condition learner's permit under ORS 807.359.

(2) The department, by rule, may waive the actual demonstration required under ORS 807.070 (3) for a person who is applying for a commercial driver license or a Class C license if the person holds a valid out-of-state license or applies for an Oregon license within one year of the expiration of a valid out-of-state license. A demonstration may be waived under this subsection only if the person has applied for the same driving privileges as those granted under the person's out-of-state license or for privileges granted by a lower class of license.

(3) The department may waive the actual demonstration required under ORS 807.070 for a person who is applying for a commercial driver license or for an endorsement related to a commercial driver license if the person submits to the department a certificate of competency issued under ORS 807.080 for the class of license or for the endorsement sought or under other circumstances, established by the department by rule, that establish the person's ability to drive without an actual demonstration.

(4) The department may issue a Class A farm endorsement without requiring additional tests to a person who has a Class C driver license if a farm employer or a self-employed farmer certifies to

the department that the person is experienced in driving a vehicle that may be driven only by persons who have a Class A commercial driver license and the person's two-part driving record does not show either a traffic accident within two years of the date of application for the endorsement or a conviction for one of the following traffic crimes within five years of the date of application for the endorsement:

- (a) Reckless driving, as defined in ORS 811.140.
- (b) Driving while under the influence of intoxicants, as defined in ORS 813.010.
- (c) Failure to perform the duties of a driver involved in an accident or collision, as described in ORS 811.700 or 811.705.

(d) Criminal driving while suspended or revoked, as defined in ORS 811.182.

(e) Fleeing or attempting to elude a police officer, as defined in ORS 811.540.

(5) The department may issue a Class B farm endorsement without requiring additional tests to a person who has a Class C driver license if a farm employer or a self-employed farmer certifies to the department that the person is experienced in driving a vehicle that may be driven only by persons who have a Class B commercial driver license and the person's two-part driving record does not show either a conviction for a traffic crime specified in subsection (4) of this section within five years of the date of application for the endorsement or a traffic accident within two years of the date of application for the endorsement.

(6) The department by rule may establish other circumstances under which a farm endorsement may be issued without an actual demonstration. The authority granted by this subsection includes, but is not limited to, authority to adopt rules specifying circumstances under which the endorsement may be granted to a person despite the appearance of traffic accidents on the person's record.

(7) The department by rule may waive the test required under ORS 807.070 (2) for a person who applies for a motorcycle endorsement if the person:

(a) Holds a valid out-of-state driver license that authorizes the person to operate a motorcycle; or

(b) Applies for a motorcycle endorsement within one year after the expiration date of a valid out-of-state driver license that authorizes the person to operate a motorcycle.

(8) The department by rule may waive the actual demonstration required under ORS 807.070 (3) for a person who is applying for a restricted motorcycle endorsement that only authorizes the person to operate a motorcycle with more than two wheels.

SECTION 2. ORS 807.050 is amended to read:

807.050. An application for a license shall be in a form approved by the Oregon Department of Transportation. An application must contain all the following:

(1) The applicant's full legal name, age, sex, residence address, except as otherwise provided for corrections officers in ORS 802.253, eligible employees in ORS 802.250 or Address Confidentiality Program participants in ORS 192.846, and post-office address other than general delivery. The department may provide by rule for acceptance of something other than an actual residence or post-office address if the department determines that the applicant does not have an actual address. The department shall require proof to verify the address in addition to anything else the department may require of the applicant. The department shall adopt rules to identify what constitutes proof of address for purposes of this subsection. Verification of proof of address may include, but is not limited to, providing a utility bill, a tax return, a record from a financial institution, a proof of insurance card or a health benefits card, a selective service card, a mortgage document or a lease agreement. The applicant may provide the proof of address by submitting proof in the form of an original document or a copy of a document, use an electronic device to display proof of address, or provide proof through the use of a third party address verification system.

[(2) Whether or not the applicant has ever been issued any driver license or driver permit. If the applicant has been issued any license or driver permit:]

[(a) When the license or driver permit was granted;]

[(b) What jurisdiction granted the license or driver permit;]

[(c) Whether or not the driving privileges under the license or driver permit are currently suspended or revoked; and]

[(d) If the driving privileges are revoked or suspended, the date and reason for the suspension or revocation.]

[(3)] (2) The class of license sought.

[(4)] (3) The Social Security number of the applicant or other number or identifying information determined appropriate by the Secretary of the United States Department of Transportation, if the application is for a commercial driver license or a commercial learner driver permit or if the Oregon Department of Transportation by rule requires the Social Security number on the application.

[(5)] (4) Whether or not the applicant wants to make an anatomical gift, as defined in ORS 97.953.

[(6)] (5) Any other information the department deems necessary to assist the department in determining whether the applicant is qualified or eligible to be licensed.

SECTION 3. (1) The amendments to ORS 807.072 by section 1 of this 2017 Act apply to persons applying for a motorcycle endorsement on or after the operative date specified in section 10 of this 2017 Act.

(2) The amendments to ORS 807.050 by section 2 of this 2017 Act apply to application forms submitted on or after the operative date specified in section 10 of this 2017 Act.

SECTION 4. ORS 807.040 is amended to read:

807.040. (1) The Department of Transportation shall issue a driver license to any person who complies with all of the following requirements:

(a) The person must complete an application for a license under ORS 807.050.

(b) As required by ORS 807.021 and 807.730, the person must provide the Social Security number assigned to the person by the United States Social Security Administration and proof of legal presence in the United States or, if the person is not eligible for a Social Security number, proof of legal presence in the United States and proof that the person is not eligible for a Social Security number.

(c) The person must submit to collection of biometric data by the department that establish the identity of the person as described in ORS 807.024.

(d) The person must not be ineligible for the license under ORS 807.060 and must be eligible for the license under ORS 807.062.

(e) The person must successfully pass all examination requirements under ORS 807.070 for the class of license sought.

(f) The person must pay the appropriate license fee under ORS 807.370 for the class of license sought.

(g) The person must pay the Student Driver Training Fund eligibility fee.

(h) If the application is for a commercial driver license, the person must be the holder of a Class C license or any higher class of license.

(i) If the application is for a commercial driver license, the person must submit to the department, in a form approved by the department, the report of a medical examination that establishes that the person meets the medical requirements for the particular class of license. The department, by rule, shall establish medical requirements for purposes of this paragraph. The medical requirements established under this paragraph may include any requirements the department determines are necessary for the safe operation of vehicles permitted to be operated under the class of license for which the requirements are established.

(j) If the application is for a commercial driver license, the person must:

(A) Have at least one year's driving experience, including relevant experience obtained in the military;

(B) Not be subject to a lifetime suspension of commercial driving privileges under ORS 809.520;

(C) Not be otherwise ineligible to hold a commercial driver license;

(D) Hold a commercial learner driver permit if the person must complete a skills demonstration under ORS 807.070 (3); and

(E) In addition to meeting the requirement of providing proof of legal presence under ORS 807.021 and this section, the person must submit valid documentation, as defined by the department by rule, that the person is a citizen or permanent legal resident of the United States.

(2) Subsection (1)(j)(E) of this section does not apply to a limited term commercial driver license or a limited term commercial learner driver permit issued under ORS 807.730.

[(2)] (3) The department shall work with other agencies and organizations to attempt to improve the issuance system for driver licenses.

SECTION 5. ORS 807.285 is amended to read:

807.285. (1) The Department of Transportation shall issue commercial learner driver permits in the manner provided by this section. Except as provided in this section, a person who is issued a commercial learner driver permit may exercise the same driving privileges as those under the class of commercial driver license or endorsement for which the permit is issued. Except as provided in this section, a commercial learner driver permit is subject to the provisions, conditions, prohibitions and penalties applicable to a license or endorsement granting the same driving privileges.

(2) The department may issue commercial learner driver permits under this section that grant the driving privileges of a Class A commercial, Class B commercial, or Class C commercial driver license, subject to the requirements and restrictions of subsections (6) and (7) of this section.

(3) An applicant for a commercial learner driver permit must be 18 years of age or older.

(4) In addition to meeting the requirement of providing proof of legal presence under ORS 807.021 and 807.040, an applicant for a commercial learner driver permit must submit valid documentation, as defined by the department by rule, that the person is a citizen or permanent legal resident of the United States. **The requirements of this subsection do not apply to an applicant for a limited term commercial learner driver permit issued under ORS 807.730.**

(5) A commercial learner driver permit is valid for a period of one year from the date of issuance and is not renewable.

(6) The holder of the commercial learner driver permit may not operate a commercial motor vehicle unless the holder has the permit in the holder's immediate possession and is accompanied by a person who is at least 21 years of age and who holds a class of commercial driver license and endorsements that grant the driving privileges required to operate the vehicle. The accompanying person must have the permit holder under observation and direct supervision and must be occupying a seat beside the holder of the permit or, in the case of a commercial passenger vehicle, directly behind or in the first row behind the driver.

(7) The holder of a commercial learner permit may not operate:

(a) Any vehicle transporting hazardous materials.

(b) A tank vehicle, unless the tank is empty.

(c) A commercial passenger vehicle while transporting passengers, unless the passengers are federal or state auditors or inspectors, test examiners or other trainees and there is a commercial driver license holder accompanying the permit holder as required by subsection (6) of this section.

(d) A school bus while transporting passengers, unless the other passengers are federal or state auditors or inspectors, test examiners or other trainees and there is a commercial driver license holder accompanying the permit holder as required by subsection (6) of this section.

(e) A commercial motor vehicle combination consisting of more than one towed vehicle.

(8) A commercial learner driver permit must contain all of the applicable information described in ORS 807.110 (1) and a prominent statement that the permit is a commercial learner permit or CLP.

(9) An applicant for a commercial learner driver permit must pay the commercial learner driver permit fee established under ORS 807.370.

SECTION 5a. If Senate Bill 37 becomes law, section 8, chapter __, Oregon Laws 2017 (Enrolled Senate Bill 37) (amending ORS 807.285), is repealed and ORS 807.285, as amended by section 5 of this 2017 Act, is amended to read:

807.285. (1) The Department of Transportation shall issue commercial learner driver permits in the manner provided by this section. Except as provided in this section, a person who is issued a

commercial learner driver permit may exercise the same driving privileges as those under the class of commercial driver license or endorsement for which the permit is issued. Except as provided in this section, a commercial learner driver permit is subject to the provisions, conditions, prohibitions and penalties applicable to a license or endorsement granting the same driving privileges.

(2) The department may issue commercial learner driver permits under this section that grant the driving privileges of a Class A commercial, Class B commercial[,] or Class C commercial driver license, subject to the requirements and restrictions [of subsections (6) and (7) of] **described in this section.**

(3) An applicant for a commercial learner driver permit must be 18 years of age or older **and must have a valid driver license issued by the department.**

(4) In addition to meeting the requirement of providing proof of legal presence under ORS 807.021 and 807.040, an applicant for a commercial learner driver permit must submit valid documentation, as defined by the department by rule, that the person is a citizen or permanent legal resident of the United States. The requirements of this subsection do not apply to:

(a) An applicant for a limited term commercial learner driver permit issued under ORS 807.730.

(b) **A person who is a citizen of a country with a Compact of Free Association with the United States.**

(5) A commercial learner driver permit is valid for a period of one year from the date of issuance and is not renewable.

(6) **Except as provided in subsection (7) of this section,** the holder of the commercial learner driver permit may not operate a commercial motor vehicle unless the holder has the permit in the holder's immediate possession and is accompanied by a person who:

(a) Is at least 21 years of age; [and who]

(b) Holds a class of commercial driver license and endorsements that grant the driving privileges required to operate the vehicle[.];

(c) **Has no restrictions on the person's driving privileges that would make operation of the vehicle unlawful under ORS 807.010 (2);**

(d) [The accompanying person must have] **Has** the permit holder under observation and direct supervision; and [must be]

(e) **Is** occupying a seat beside the holder of the permit or, in the case of a commercial passenger vehicle, directly behind or in the first row behind the driver.

(7) **When taking an examination as described in ORS 807.070 (3) with an examiner employed by the department, the holder of a commercial learner driver permit is not required to be accompanied by a commercial driver license holder as otherwise required under subsection (6) of this section.**

[(7)] (8) The holder of a commercial learner **driver** permit may not operate:

(a) Any vehicle transporting hazardous materials.

(b) A tank vehicle, unless the tank is empty.

(c) A commercial passenger vehicle while transporting passengers, unless the passengers are federal or state auditors or inspectors, test examiners or other trainees and there is a commercial driver license holder accompanying the permit holder as required by subsection (6) of this section.

(d) A school bus while transporting passengers, unless the other passengers are federal or state auditors or inspectors, test examiners or other trainees and there is a commercial driver license holder accompanying the permit holder as required by subsection (6) of this section.

(e) A commercial motor vehicle combination consisting of more than one towed vehicle.

[(8)] (9) A commercial learner driver permit must contain all of the applicable information described in ORS 807.110 (1) and a prominent statement that the permit is a [commercial learner permit or CLP.] **"commercial learner permit" or "CLP."**

[(9)] (10) An applicant for a commercial learner driver permit must pay the commercial learner driver permit fee established under ORS 807.370.

SECTION 5b. The amendments to ORS 807.285 by section 5a of this 2017 Act become operative on January 1, 2018.

SECTION 5c. If Senate Bill 37 becomes law, section 15, chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37), is amended to read:

Sec. 15. (1) The amendments to ORS 807.340 by section 1, **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**, [of this 2017 Act] apply to driver licenses, driver permits or endorsements issued before, on or after the effective date of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

(2) The amendments to ORS 809.525 by section 2, **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**, [of this 2017 Act] apply to conduct occurring on or after the effective date of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

(3) The amendments to ORS 807.035 and 807.070 by sections 3 and 4, **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**, [of this 2017 Act] apply to endorsements issued on or after the effective date of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

(4) The amendments to ORS 807.040 by section 5, **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**, [of this 2017 Act] apply to applications for commercial driver licenses submitted on or after the effective date of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

(5) The amendments to ORS 807.100 by section 6, **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**, [of this 2017 Act] apply to the issuance, renewal or cancellation of commercial driving privileges that occurs on or after the effective date of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

(6) The amendments to ORS 807.031 by section 7, **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**, [of this 2017 Act] apply to commercial driver licenses issued before, on or after the effective date of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

(7) The amendments to ORS 807.285 by [section 8 of this 2017 Act] **section 5a of this 2017 Act** apply to commercial learner driver permits issued on or after the effective date of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

(8) The amendments to ORS 807.110 by section 11, **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**, [of this 2017 Act] apply to licenses issued on or after the effective date of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

(9) The amendments to ORS 807.072 by section 12, **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**, [of this 2017 Act] apply to demonstrations waived on or after the effective date of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

(10) The amendments to ORS 807.018 by section 13, **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**, [of this 2017 Act] apply to commercial driving privileges held on or after the effective of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

(11) The amendments to ORS 807.310 by section 14, **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**, [of this 2017 Act] apply to applicant temporary driver permits issued on or after the effective date of [this 2017 Act] **chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 37)**.

SECTION 6. ORS 807.730 is amended to read:

807.730. (1) The Department of Transportation may issue or replace a limited term driver license, **limited term commercial driver license**, limited term driver permit, **limited term commercial learner driver permit** or limited term identification card only for a person who provides proof, as determined by the department by rule, that the person is legally present in the United States on a temporary basis.

(2) A limited term driver license, **limited term commercial driver license** or limited term identification card is valid:

(a) During the applicant's authorized stay in the United States, but no longer than eight years from the date of issuance; or

(b) If there is no definite end to the authorized stay, for a period of one year.

(3) A limited term driver permit **or a limited term commercial learner driver permit** is valid:

(a) During the applicant's authorized stay in the United States, but no longer than the period of time for which a driver permit of the same type is issued by the department.

(b) If there is no definite end to the authorized stay, for a period of one year but no longer than the period of time for which a driver permit of the same type is issued by the department.

(4) A limited term driver license, **limited term commercial driver license**, limited term driver permit, **limited term commercial learner driver permit** or limited term identification card may be renewed only upon presentation of valid documentation, as determined by the department by rule, that the status by which the applicant qualified for the limited term driver license, **limited term commercial driver license**, limited term driver permit, **limited term commercial learner driver permit** or limited term identification card has been extended or is still in effect.

(5) A limited term driver license or limited term driver permit grants the same privileges as a driver license or driver permit.

(6) A limited term identification card shall bear a statement to the effect that the limited term identification card is not a license or any other grant of driving privileges to operate a motor vehicle and is to be used for identification purposes only.

(7) A limited term commercial driver license or limited term commercial learner driver permit grants the same privileges as a commercial driver license or commercial learner driver permit.

(8) The department may issue a limited term commercial driver license or limited term commercial learner driver permit if the applicant is otherwise eligible for commercial driving privileges. The department may adopt rules describing eligibility requirements for limited term commercial driver licenses and limited term commercial learner driver permits.

SECTION 7. ORS 807.370 is amended to read:

807.370. The following are the fees relating to the issuance and renewal of licenses, driver permits and endorsements:

(1) Disability golf cart driver permit fees under ORS 807.210, as follows:

(a) For issuance, \$44.

(b) For renewal fee under ORS 807.210, \$32.

(2) Emergency driver permit fee under ORS 807.220, \$23.50.

(3) Instruction driver permit fees under ORS 807.280, as follows:

(a) For issuance, \$23.50.

(b) For renewal, \$23.50.

(4) Commercial learner driver permit issuance fee under ORS 807.285, \$23.50.

(5)(a) License issuance fee for a Class C license, \$54.

(b) Fee to take the knowledge test for a Class C license, \$5.

(c) Fee to take the skills test for a Class C license, \$9.

(6) License issuance fee for a restricted Class C license, \$54.

(7) License issuance fee for a commercial driver license, whether or not the license contains endorsements, \$75.50.

(8) Test fees for a commercial driver license or permit:

(a) To take the knowledge test for a Class A commercial driver license or permit, \$10.

(b) To take the skills test for a Class A commercial driver license, \$70.

(c) To take the knowledge test for a Class B commercial driver license or permit, \$10.

(d) To take the skills test for a Class B commercial driver license, \$70.

(e) To take the knowledge test for a Class C commercial driver license or permit, \$10.

(f) To take the skills test for a Class C commercial driver license, \$70.

(9) Notwithstanding subsection (7) of this section, for issuance of a commercial driver license of any class when the Department of Transportation accepts a certificate of competency issued under ORS 807.080, \$40 in addition to the fee under subsection (7) of this section.

(10) Notwithstanding subsection (7) of this section, for original issuance of a school bus endorsement to a person who has a commercial driver license with a passenger endorsement:

(a) \$21; or

(b) \$61 if the department accepts a certificate of competency issued under ORS 807.080.

(11) For a farm endorsement, \$26.

(12) Test fees for the knowledge test for endorsements other than motorcycle and farm endorsements:

(a) For a hazardous materials endorsement, \$10.

(b) For a tank vehicle endorsement, \$10.

(c) For a passenger endorsement, \$10.

(d) For a double and triple trailer endorsement, \$10.

(e) For a school bus endorsement, \$10.

(13) Fee to take an airbrake knowledge test, \$10.

(14) Fee to take an airbrake skills test to remove an airbrake restriction, \$56.

(15) License renewal fee for a commercial driver license, \$55.50.

(16) License renewal fee for a Class C license, \$34.

(17) License or driver permit replacement fee under ORS 807.160, \$26.50.

(18) Original endorsement issuance fee under ORS 807.170 for a motorcycle endorsement, \$46, in addition to any fees for the endorsed license.

(19) Special student driver permit fee under ORS 807.230, \$23.50.

(20) Student Driver Training Fund eligibility fee under ORS 807.040 and 807.150, \$6.

(21) Motorcycle Safety Subaccount fee as follows:

(a) Upon original issuance of motorcycle endorsements under ORS 807.170, \$38.

(b) Upon renewal of a license with a motorcycle endorsement under ORS 807.170, \$28.

(22) Probationary driver permit application fee under ORS 807.270, \$50.

(23) Hardship driver permit application fee under ORS 807.240, \$50.

(24) Fee for reinstatement of revoked driving privileges under ORS 809.390, \$75.

(25) Fee for reinstatement of suspended driving privileges under ORS 809.380, \$75.

(26) Fee for reinstatement of right to apply for driving privileges after a delay under ORS 809.280 (10) (1997 Edition), the same as the fee for reinstatement of suspended driving privileges.

(27) Fee for a special limited vision condition learner's permit under ORS 807.359, \$13.

(28)(a) License issuance fee for a Class C limited term license, \$23.

(b) Fee to take the knowledge test for a Class C limited term license, \$5.

(c) Fee to take the skills test for a Class C limited term license, \$9.

(29) License issuance fee for a restricted Class C limited term license, \$23.

(30) License issuance fee for a limited term commercial driver license, whether or not the license contains endorsements, \$45.

(31) License renewal fee for a limited term commercial driver license, \$14.

(32) License renewal fee for a Class C limited term license, \$8.

(33) Limited term license or limited term driver permit replacement fee under ORS 807.160, \$26.50.

(34) Limited term Student Driver Training Fund eligibility fee under ORS 807.040 and 807.150, \$2.

(35) Limited term commercial learner driver permit issuance fee under ORS 807.730, \$23.50.

SECTION 8. ORS 807.110 is amended to read:

807.110. (1) A license issued by the Department of Transportation shall contain all of the following:

(a) The distinguishing number assigned to the person issued the license by the department.

(b) For the purpose of identification, a brief description of the person to whom the license is issued.

(c) The full legal name of the person to whom the license is issued, except that the department may limit the number of characters displayed on the license.

(d) The date of birth of the person to whom the license is issued.

(e) Except as provided for corrections officers in ORS 802.253, eligible employees in ORS 802.250 or Address Confidentiality Program participants in ORS 192.846, the residence address of the person to whom the license is issued.

(f) Upon request of the person to whom the license is issued, the fact that the person is an anatomical donor.

(g) Upon request of the person to whom the license is issued and presentation of proof, as determined by the department, the fact that the person is a veteran, as defined in ORS 408.225.

(h) Upon order of the juvenile court, the fact that the person to whom the license is issued is an emancipated minor.

(i) Except as otherwise provided in subsection (2) of this section, a photograph described in this paragraph. A photograph required under this paragraph shall:

(A) Be a full-faced, color photograph of the person to whom the license is issued;

(B) Be of a size approved by the department; and

(C) Be taken at the time of application for issuance of the license whether the application is for an original license, replacement of a license under ORS 807.160 or for renewal of a license under ORS 807.150, except that the department, by rule, may allow the applicant to use a photograph already on file with the department.

(j) The class of license issued and any endorsements granted. If the license is a commercial driver license, the words "commercial driver license" or the letters "CDL" shall appear on the license.

(k) The signature of the person to whom the license is issued.

(2) The department may issue a valid license without a photograph to an applicant:

(a) Who objects on religious grounds;

(b) Who objects because of the applicant's facial disfigurement; or

(c) Who is stationed outside of this state while serving in the active military service in the Armed Forces of the United States or the National Guard, and the department does not have an acceptable photograph of the applicant, as determined by the department by rule. This paragraph applies to an applicant who is renewing or replacing a license.

(3) A limited term driver license **or a limited term commercial driver license** issued under ORS 807.730 shall indicate:

(a) That it is a limited term driver license; and

(b) The date on which the limited term driver license expires.

(4) The department shall use security procedures, processes and materials in the preparation, manufacture and issuance of any license that prohibit as nearly as possible anyone's ability to alter, counterfeit, duplicate or modify the license without ready detection. The security features used in the production of the licenses shall provide for:

(a) The authentication of a genuine document in a reasonable time; and

(b) The production of the license only by equipment that requires verification of the identity of the operator of the equipment before a license may be produced.

SECTION 9. ORS 807.140 is amended to read:

807.140. (1) Before the expiration of any license or a license with an endorsement under the vehicle code, the Department of Transportation shall notify the person to whom the license was issued of the approaching expiration. Within a reasonable time prior to the expiration date, the notice shall be mailed to the person to whom the license was issued at the address shown in the files maintained by the department.

(2) The department is not required to notify the person of an approaching expiration if the person's license has been suspended, canceled or revoked or if the person has failed to notify the department of a change of address as required under ORS 807.560.

(3) Notwithstanding subsection (1) of this section, the department is not required to notify the person of an approaching expiration if the person received a limited term driver license, **limited term commercial driver license**, limited term driver permit, **limited term commercial learner driver permit** or limited term identification card under ORS 807.730 for a period of less than one year.

(4) Failure to receive a notice of expiration from the department is not a defense to a charge of driving with an expired license. However, the court may dismiss the charge if the person renews the license before the scheduled court appearance.

(5) The department's responsibility to maintain records concerning notice under this section is as provided under ORS 802.210.

SECTION 10. The amendments to ORS 807.050 and 807.072 by sections 1 and 2 of this 2017 Act become operative on January 1, 2018.

SECTION 11. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.

Passed by Senate February 21, 2017

Received by Governor:

Repassed by Senate June 7, 2017

.....M.,....., 2017

Approved:

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

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Kate Brown, Governor

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