

# House Bill 2566

Sponsored by Representative WITT (Presession filed.)

## 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 **as introduced**.

Requires owners to register all-terrain vehicle, if vehicle is not otherwise registered in this state.

## A BILL FOR AN ACT

Relating to all-terrain vehicles; creating new provisions; and amending ORS 390.555, 801.040, 801.041, 801.042, 802.125, 803.305, 803.415, 803.505, 803.565, 805.250, 821.050, 821.080, 821.090, 821.100, 821.110, 821.120 and 821.320.

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

## ALL-TERRAIN VEHICLE REGISTRATION

### **SECTION 1.** ORS 803.305 is amended to read:

803.305. *[This section establishes exemptions from the requirements under ORS 803.300. The exemptions under this section are in addition to any exemptions under ORS 801.026. Vehicles exempted by this section from the requirements to be registered by this state are not prohibited from being registered by this state if registration is permitted under ORS 803.310.]* **In addition to the exemptions under ORS 801.026**, the following are exempt, either partially or completely as described, from the registration requirements under ORS 803.300:

(1) Road rollers, farm tractors, trolleys and traction engines are exempt from registration.

(2) Bicycles are exempt from registration.

(3) A vehicle is exempt from registration if it has registration issued for the vehicle by the Armed Forces of the United States where the registration is issued in a foreign country to a vehicle owned by a member of the Armed Forces. The exemption granted by this subsection applies only for a period of 45 days from the time the vehicle is returned to the United States.

(4) **Except as provided in this section**, a vehicle is exempt from registration if it is not operated on the highways of this state.

(5) A trailer is exempt from registration if it is equipped with pneumatic tires made of elastic material and is not operated in this state with a loaded weight of more than 1,800 pounds. A trailer for hire, travel trailer or camper is not exempt by this subsection.

(6) Vehicles owned and operated by the United States Government are exempt from registration.

(7) Snowmobiles are subject to the requirements for registration provided under ORS 821.080 to 821.110.

(8) Implements of husbandry, well drilling machinery, emergency fire apparatus providing public fire protection and wheelchairs are exempt from registration.

**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 (9) Road graders, farm tractors and farm trailers on highways are exempt from registration when  
 2 the operation of the vehicle upon the highway is incidental to its use in an agricultural operation.

3 (10) Except as provided in subsection (26) of this section, fixed load vehicles are exempt from  
 4 registration while the vehicles are operated:

5 (a) In the construction or reconstruction of state or county roads, highways or city streets; and

6 (b) Within the immediate construction projects, as described in the governmental agency con-  
 7 tract under which the work is being performed.

8 (11) Motor vehicles designed to operate at a loaded weight over 8,000 pounds, trailers and  
 9 equipment are exempt from registration while being used for the purposes of forest protection and  
 10 fire suppression under ORS chapter 477 or a similar federal statute. The exemption under this sub-  
 11 section applies to the vehicles or equipment described while being moved to or from the work area.  
 12 The exemption under this subsection only applies to vehicles or equipment owned, leased, contracted  
 13 for or requisitioned by the State Forester or State Board of Forestry, a contractor of the State  
 14 Forester or State Board of Forestry under ORS chapter 477 or the United States Government.

15 (12) Vehicles being used for the purposes of forest protection and fire suppression are exempt  
 16 if the vehicles are necessary in order to comply with ORS 477.615 or 477.650 or a similar federal  
 17 statute. The exemption under this subsection also applies to the vehicles described being moved to  
 18 or from the work area.

19 (13) Golf cart exemptions from registration are as provided in ORS 820.210.

20 (14) Vehicles currently registered and titled in any other country, state or territory are not re-  
 21 quired to be registered by this state. All of the following apply to this subsection:

22 (a) This subsection only provides an exemption as long as the owner of the vehicle satisfactorily  
 23 shows that the owner is not a resident of this state or has been a resident of this state for less than  
 24 30 days. For the purpose of this paragraph, a person is a resident of this state if the person meets  
 25 the residency requirements described in ORS 803.200.

26 (b) The exemption under this subsection applies to vehicles granted exemptions under ORS  
 27 802.500, 802.520 or 826.005 unless otherwise provided for under paragraph (c) of this subsection.

28 (c) Except as otherwise provided in this paragraph, a vehicle operated over the highways of this  
 29 state for compensation or profit must comply with the registration requirements under ORS 803.300  
 30 in the same manner as vehicles owned by persons in this state. The following vehicles are not sub-  
 31 ject to this paragraph:

32 (A) Vehicles operated under reciprocal registration exemptions established under ORS 802.500  
 33 or 826.005.

34 (B) Vehicles operated under an exemption established under ORS 802.520.

35 (C) Vehicles that are proportionally registered under an agreement established under ORS  
 36 826.007 and according to the procedures established under ORS 826.009 and 826.011.

37 (D) Any vehicle if duly registered and titled under the laws of the state or country of which the  
 38 owner is a bona fide resident to the extent that in the foreign country, state, territory or federal  
 39 district where the owner resides like exemptions and privileges are granted vehicles duly registered  
 40 and titled under the laws of this state and owned by residents of this state.

41 (d) If no exemption from registration requirements is in effect under ORS 802.500, 802.520,  
 42 826.005 or 826.007 with respect to another jurisdiction, any vehicle properly registered and titled in  
 43 such other jurisdiction and for which evidence of compliance is supplied shall receive, when oper-  
 44 ated in this state, the same exemptions, benefits and privileges granted by such other jurisdictions  
 45 to vehicles properly registered and titled in this state. Reciprocity extended under this paragraph

1 shall apply to commercial vehicles only when engaged exclusively in interstate commerce.

2 (e) Any vehicle operated under dealer registration plates issued by another state, country,  
3 province, territory or the District of Columbia is subject to this subsection.

4 (15) Vehicles operated or used by vehicle dealers may be operated or used without registration  
5 as provided under ORS 822.040.

6 (16) Vehicles towed by towing businesses may be towed without registration as provided under  
7 ORS 822.210.

8 (17) Vehicles without registration may be transported by vehicle transporters as provided under  
9 ORS 822.310.

10 (18) Vehicles that are not registered may be operated under trip permits described under ORS  
11 803.600 or under permits described under ORS 803.610 to 803.625.

12 (19) If trailers that are part of a fleet of trailers for hire are properly registered in this state  
13 under an agreement entered into pursuant to ORS 802.500, all trailers that are identified as being  
14 a part of the same fleet and that are currently registered in any state, territory, province, country  
15 or the District of Columbia shall be permitted to operate in this state in both interstate and intra-  
16 state commerce without being registered by this state.

17 (20) Vehicles that are registered by the United States Department of State and that are owned  
18 or operated by foreign nationals with diplomatic immunity are exempt from registration.

19 (21) Tow dollies and converter dollies are exempt from registration.

20 *[(22) Class I, Class III and Class IV all-terrain vehicles are exempt from registration.]*

21 **(22)(a) Class I, Class III and Class IV all-terrain vehicles are subject to the requirements**  
22 **for registration provided under ORS 821.080 to 821.110.**

23 **(b) Class II all-terrain vehicles are subject to the requirements for registration provided**  
24 **under ORS 821.080 to 821.110 only if the vehicle is not registered as a vehicle other than a**  
25 **Class II all-terrain vehicle in this state.**

26 (23) Motor assisted scooters are exempt from registration.

27 (24) Electric personal assistive mobility devices are exempt from registration.

28 (25) A racing activity vehicle that is being operated for the purposes of a test drive within a  
29 30-mile radius of the location where the vehicle is manufactured is exempt from registration.

30 (26) Road machinery that is operated at the direction of a road authority is exempt from regis-  
31 tration. The exemption under this subsection also applies when the operation of road machinery  
32 upon a highway or an alley is incidental to its use in a highway maintenance operation.

33 **SECTION 2.** ORS 821.080 is amended to read:

34 821.080. (1) The Department of Transportation shall issue snowmobile **and all-terrain vehicle**  
35 registration to a qualified owner. To qualify for issuance of registration under this section:

36 (a) The owner *[must]* **shall** complete the application in the manner and in a form the department  
37 prescribes.

38 (b) The application *[shall]* **must** state the name and address of each owner of the snowmobile  
39 **or all-terrain vehicle** to be registered.

40 (c) The application *[shall]* **must** contain proof of title, **if the vehicle registered is a**  
41 **snowmobile.**

42 (d) The fee established under ORS 821.320 for registration of a snowmobile **or an all-terrain**  
43 **vehicle** must be paid.

44 (2) Dealers issued certificates under ORS 822.020 who sell snowmobiles **or all-terrain vehicles**  
45 shall accept application and fees for registration from each purchaser of a new or used snowmobile

1 **or all-terrain vehicle** that is required to be registered in this state. The department shall adopt  
 2 rules for the implementation of this subsection.

3 (3) The department *[shall]* **may** not issue any registration for a snowmobile unless the  
 4 snowmobile has been issued a title in compliance with ORS 821.060 and 821.070.

5 (4) **The department may not register an all-terrain vehicle if the vehicle is otherwise**  
 6 **registered in this state.**

7 [(4)] (5) Snowmobile **and all-terrain vehicle** registration and renewal of registration are valid  
 8 for a period of two years after which time the registration expires.

9 [(5)] (6) Upon qualification for registration, the department shall do the following:

10 (a) Register the snowmobile **or all-terrain vehicle**.

11 (b) Assign a registration number to the snowmobile **or all-terrain vehicle**. The registration  
 12 number assigned at the time of original registration shall remain with that vehicle until the vehicle  
 13 is destroyed, abandoned or permanently removed from this state, or until changed or terminated by  
 14 the department.

15 (c) Issue and deliver to the registered owner a certificate of registration in a form to be deter-  
 16 mined by the department.

17 (d) At the time of original registration and at the time of each subsequent renewal thereof, issue  
 18 to the registrant a date tag or tags indicating the validity of the current registration and the expi-  
 19 ration date thereof.

20 [(6)] (7) A snowmobile **or all-terrain vehicle** registration is not valid unless a validating tag  
 21 and current registration certificate have been issued.

22 [(7)] (8) The department shall provide procedures necessary for renewal of snowmobile **or all-**  
 23 **terrain vehicle** registration consistent with this section and ORS 821.110 and 821.320.

24 [(8)] (9) The department may adopt rules specifying additional requirements and procedures for  
 25 registration of snowmobiles. Requirements and procedures adopted under this subsection shall be  
 26 designed to assure that except as otherwise provided in this chapter, the registration of snowmobiles  
 27 is administered in the same manner and has the same effect as the registration of vehicles under  
 28 ORS chapter 803.

29 **SECTION 3.** ORS 821.090 is amended to read:

30 821.090. *[This section establishes exemptions from the requirements to register snowmobiles under*  
 31 *ORS 821.100.]* The following **snowmobiles and all-terrain vehicles** are exempt from the registra-  
 32 tion requirements **under ORS 821.100**, either partially or completely as described:

33 (1) A snowmobile **or an all-terrain vehicle** owned and operated by the United States, another  
 34 state or a political subdivision thereof.

35 (2) A snowmobile **or an all-terrain vehicle** owned and operated by this state or by any city,  
 36 district or political subdivision thereof.

37 (3) A snowmobile **or an all-terrain vehicle** owned by a resident of another state if registered  
 38 in accordance with the laws of the state in which its owner resides. The exemption granted under  
 39 this subsection:

40 (a) Is only granted to the extent that a similar exemption or privilege is granted under the laws  
 41 of the other state for snowmobiles registered in this state.

42 (b) Is only granted for a period of up to 60 consecutive days. Any snowmobile **or all-terrain**  
 43 **vehicle** that does not qualify for the exemption under this subsection because of this paragraph is  
 44 subject to registration.

45 (4) A snowmobile **or an all-terrain vehicle** operated under an out-of-state permit issued under

1 ORS 821.130.

2 (5) A snowmobile **or an all-terrain vehicle** operated under dealer plates as described in ORS  
3 822.040.

4 (6) A snowmobile **or an all-terrain vehicle** used exclusively in farming, agricultural or forestry  
5 operations or used by persons licensed under ORS chapter 571 exclusively for nursery or Christmas  
6 tree growing operations.

7 **(7) A Class II all-terrain vehicle registered as a vehicle other than a Class II all-terrain**  
8 **vehicle in this state.**

9 **SECTION 4.** ORS 821.100 is amended to read:

10 821.100. (1) A person commits the offense of operation of an unregistered snowmobile **or all-**  
11 **terrain vehicle** if the person operates a snowmobile **or an all-terrain vehicle** that is not registered  
12 under ORS 821.080.

13 (2) Exemptions from this section are established under ORS 821.090.

14 (3) The offense described in this section, operation of an unregistered snowmobile **or all-terrain**  
15 **vehicle**, is a Class D traffic violation.

16 **SECTION 5.** ORS 821.110 is amended to read:

17 821.110. (1) A person commits the offense of failure to renew snowmobile **or an all-terrain ve-**  
18 **hicle** registration if the person is the owner of a snowmobile **or an all-terrain vehicle** in this state  
19 and the person does not renew registration for the snowmobile **or all-terrain vehicle** in the manner  
20 the Department of Transportation prescribes when the registration expires as provided under ORS  
21 821.080 and pay the required fee for renewal of registration established under ORS 821.320.

22 (2) The offense described in this section, failure to renew snowmobile **or all-terrain vehicle**  
23 registration, is a Class D traffic violation.

24 **SECTION 6.** ORS 821.120 is amended to read:

25 821.120. (1) A person commits the offense of failure to properly display snowmobile **or all-**  
26 **terrain vehicle** registration numbers if the person is the owner or operator of a snowmobile **or an**  
27 **all-terrain vehicle** and the registration numbers issued by the Department of Transportation for the  
28 vehicle are not displayed on the vehicle or are displayed in a manner that violates any of the fol-  
29 lowing:

30 (a) The registration numbers must be permanently affixed.

31 (b) The registration numbers must be displayed in a clearly visible manner.

32 (c) The registration number must be displayed upon the snowmobile **or all-terrain vehicle** in  
33 a manner prescribed by the department.

34 (d) The numbers displayed shall be in the form of painted numbers or decals and shall be of  
35 contrasting color with the surface on which they are applied.

36 (e) The registration numbers shall be maintained in a legible condition.

37 (f) Any validating date tag or tags issued by the department under ORS 821.080 shall be affixed  
38 in the manner prescribed by the department.

39 (2) The offense described in this section, failure to properly display snowmobile **or all-terrain**  
40 **vehicle** registration numbers, is a Class D traffic violation.

41 **SECTION 7.** ORS 821.320 is amended to read:

42 821.320. The following fees are established relating to snowmobiles **or all-terrain vehicles**:

43 (1) Registration under ORS 821.080, \$10.

44 (2) Renewal of registration under ORS 821.080, \$10.

45 (3) Issuance of **snowmobile** out-of-state permit under ORS 821.130, \$7.

**SECTION 8.** ORS 802.125 is amended to read:

802.125. (1) The Department of Transportation shall transfer to the State Parks and Recreation Department amounts described in subsection (2) of this section that are paid to the Department of Transportation and determined by the department to be paid with respect to fuel used by Class I, Class II, Class III and Class IV all-terrain vehicles in off-highway operation.

(2) The amounts referred to in subsection (1) of this section are:

(a) Amounts paid as motor vehicle fuel tax under ORS 319.020 and 319.530 that are not refunded; and

(b) Special use fuel license fees paid under ORS 319.535.

**(3) After deducting the expenses of collecting, administering and transferring all-terrain vehicle registration fees, the Department of Transportation shall transfer to the State Parks and Recreation Department registration fees paid under ORS 821.320 to the All-Terrain Vehicle Account established under ORS 390.555.**

~~[(3)]~~ (4) The Department of Transportation shall determine the amount of moneys to be transferred under this section at quarterly intervals.

**SECTION 9.** ORS 803.415 is amended to read:

803.415. This section establishes registration periods for vehicles. The registration periods are periods described under ORS 803.400. Except as provided in the following, the registration period for any vehicle registered in this state by the Department of Transportation is a biennial registration period:

(1) The following vehicles have permanent registration:

(a) Antique vehicles registered under ORS 805.010.

(b) Vehicles of special interest registered under ORS 805.020.

(c) Trailers that will be operated on the highways at a loaded weight of more than 8,000 pounds and are not travel trailers, fixed load vehicles or special use trailers.

(2) Government-owned vehicles registered under ORS 805.040 have ownership registration.

(3) The following vehicles may be registered under annual or quarterly registration unless the vehicles are registered under proportional registration under ORS 826.009 or proportional fleet registration under ORS 826.011:

(a) Vehicles required to establish a registration weight under ORS 803.430.

(b) Commercial buses.

(c) Vehicles registered as farm vehicles under ORS 805.300.

(4) Snowmobiles **and all-terrain vehicles** are registered as provided in ORS 821.080.

(5) Vehicles operated by dealers who hold certificates under ORS 822.020 are as provided under ORS 822.040.

(6) Trailers for hire that will be operated at a loaded weight of 8,000 pounds or less may be registered as follows:

(a) Annual registration; or

(b) If registered under an agreement pursuant to ORS 802.500, for a period of time determined as specified in the agreement or as determined by the department.

(7) Except as otherwise provided in subsection (10) of this section, the registration period for electric vehicles and hybrid vehicles that use electricity and another source of motive power is a biennial registration period except that the registration period for the following electric or hybrid vehicles is an annual registration period:

(a) Commercial buses.

1 (b) Electric or hybrid vehicles registered as farm vehicles under ORS 805.300.

2 (c) Vehicles required to establish registration weight under ORS 803.430.

3 (8) Vehicles registered under ORS 805.100 have an ownership registration period.

4 (9) School vehicles registered under ORS 805.050 have ownership registration except that the  
5 registration shall continue to be valid if ownership of the vehicle is transferred to a person who  
6 continues to use the vehicle for purposes authorized by ORS 805.050.

7 (10) The following vehicles have a four-year registration period:

8 (a) New vehicles registered under ORS 803.420 (6)(a) for which new registration plates will be  
9 issued;

10 (b) New mopeds or motorcycles registered under ORS 803.420 (6)(c) for which new registration  
11 plates will be issued; and

12 (c) New trailers registered under ORS 803.420 (6)(b), for which new registration plates will be  
13 issued.

14 (11) A rental or leasing company, as defined in ORS 221.275, may elect an annual, a biennial or  
15 a four-year registration period for the initial registration of a new vehicle registered under ORS  
16 803.420 (6)(a) for which new registration plates will be issued if the company owns the vehicle that  
17 is being registered. The subsequent renewal or reregistration periods for the vehicle are biennial.

18 (12) Vehicles registered under ORS 805.110 have ownership registration except that the regis-  
19 tration shall continue to be valid if ownership of the vehicle is transferred to a spouse who is au-  
20 thorized to retain the former prisoner of war registration plates under ORS 805.110.

21 **SECTION 10.** ORS 390.555 is amended to read:

22 390.555. The All-Terrain Vehicle Account is established as a separate account in the State Parks  
23 and Recreation Department Fund, to be accounted for separately. Interest earned by the All-Terrain  
24 Vehicle Account shall be credited to the account. After deduction of expenses of collection, transfer  
25 and administration, including the expenses of establishment and operation of Class I, Class III and  
26 Class IV all-terrain vehicle safety education courses and examinations under ORS 390.570, 390.575  
27 and 390.577, the following moneys shall be transferred to the account:

28 (1) Fees collected by the State Parks and Recreation Department for issuance of operating per-  
29 mits for all-terrain vehicles under ORS 390.580 and 390.590.

30 (2) Fees collected by the department from participants in the Class I, Class III and Class IV  
31 all-terrain vehicle safety education courses under ORS 390.570, 390.575 and 390.577.

32 (3) The moneys transferred from the Department of Transportation under ORS 802.125 that  
33 represent unrefunded fuel tax **and all-terrain vehicle registration fees**.

34  
35 **CONFORMING AMENDMENTS**

36  
37 **SECTION 11.** ORS 801.040 is amended to read:

38 801.040. This section describes circumstances where special provisions are made concerning the  
39 authority of cities, counties or other political subdivisions in relation to some portion of the vehicle  
40 code. This section is not the only section of the vehicle code that applies to such authority and  
41 [shall] **may** not be interpreted to affect the vehicle code except as specifically provided in this sec-  
42 tion. The following limits are partial or complete as described:

43 (1) [No] **A** county, municipal or other local body with authority to adopt and administer local  
44 police regulations under the Constitution and laws of this state [shall] **may not** enact or enforce  
45 any rule or regulation in conflict with the provisions of the vehicle code described in this subsection

1 except as specifically authorized in the vehicle code. This subsection applies to the provisions of the  
 2 vehicle code relating to abandoned vehicles, vehicle equipment, regulation of vehicle size, weight  
 3 and load, the manner of operation of vehicles and use of roads by persons, animals and vehicles.

4 (2) Except as provided in ORS 822.230 and this subsection, [*no*] a city, county or other political  
 5 subdivisions [*shall*] **may not** regulate or require or issue any registration, licenses, permits or surety  
 6 bonds or charge any fee for the regulatory or surety registration of any person required to obtain  
 7 a certificate from the Department of Transportation under ORS 822.205. This subsection does not:

8 (a) Limit any authority of a city or county to license and collect a general and  
 9 nondiscriminatory license fee levied upon all businesses or to levy a tax based upon business con-  
 10 ducted by any person within the city or county.

11 (b) Limit the authority of any city or county to impose any requirements or conditions as part  
 12 of any contract to perform towing or recovering services for the city or county.

13 (c) Limit the authority of any city or county to impose requirements and conditions that govern  
 14 the towing of a vehicle by a towing business under ORS 98.812 so long as those requirements and  
 15 conditions are consistent with the provisions of ORS 822.230.

16 (3) [*No*] A city, county or other political subdivision of this state, [*nor*] or any state agency, may  
 17 **not** adopt a regulation or ordinance that imposes a special fee for the use of public lands or waters  
 18 by snowmobiles or Class I all-terrain vehicles, or for the use of any access thereto that is owned  
 19 by or under the jurisdiction of either the United States, this state or any such city, county or other  
 20 political subdivision. The registration fees provided by ORS 821.320 are in lieu of any personal  
 21 property or excise tax imposed on snowmobiles **and all-terrain vehicles** by this state or any poli-  
 22 tical subdivision. [*No*] A city, county or other municipality[, *and no*] or state agency [*shall*] **may**  
 23 **not** impose any other registration or license fee on any snowmobile **or all-terrain vehicle** in this  
 24 state. This subsection does not prohibit any city, county or other political subdivision, or any state  
 25 agency from regulating the operation of snowmobiles or Class I all-terrain vehicles on public lands,  
 26 waters and other properties under its jurisdiction and on streets or highways within its boundaries  
 27 by adopting regulations or ordinances of its governing body if such regulations are not inconsistent  
 28 with ORS 821.150 to 821.292.

29 (4) The provisions of ORS 819.110 to 819.215 relating to towing of vehicles that are abandoned  
 30 establish minimum requirements subject to the following:

31 (a) Notwithstanding paragraph (b) of this subsection, a county or incorporated city may super-  
 32 sede such provisions by ordinance or charter provision.

33 (b) Any road authority described under ORS 810.010 may adopt rules or procedures that do not  
 34 conflict with such provisions to provide for additional protection for the owner or person with an  
 35 interest in a vehicle subject to such provisions or that more quickly accomplish the procedures es-  
 36 tablished under such provisions.

37 (5) Any incorporated city may by ordinance require that the driver of a vehicle involved in an  
 38 accident file with a designated city department a copy of any report required to be filed under ORS  
 39 811.725. All such reports shall be for the confidential use of the city department but subject to the  
 40 same requirements for release of such reports as provided for the release of such reports by the  
 41 department under ORS 802.220 and 802.240.

42 (6) Except as otherwise specifically provided in this section, in accordance with the provisions  
 43 of ORS 801.041, the governing body of a county may establish by ordinance registration fees for  
 44 vehicles registered at a residence or business address within the county.

45 (7) Except as otherwise specifically provided in this section, in accordance with the provisions



1 of ORS 801.042, the governing body of a district may establish by ordinance registration fees for  
 2 vehicles registered at a residence or business address within the district.

3 **SECTION 12.** ORS 801.041, as amended by section 1, chapter 24, Oregon Laws 2018, and section  
 4 24, chapter 93, Oregon Laws 2018, is amended to read:

5 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish  
 6 registration fees for vehicles:

7 (1) An ordinance establishing registration fees under this section must be enacted by the county  
 8 imposing the registration fee and filed with the Department of Transportation. Notwithstanding  
 9 ORS 203.055 or any provision of a county charter, the governing body of a county with a population  
 10 of 350,000 or more may enact an ordinance establishing registration fees. The governing body of a  
 11 county with a population of less than 350,000 may enact an ordinance establishing registration fees  
 12 after submitting the ordinance to the electors of the county for their approval. The governing body  
 13 of the county imposing the registration fee shall enter into an intergovernmental agreement under  
 14 ORS 190.010 with the department by which the department shall collect the registration fees, pay  
 15 them over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5).  
 16 The intergovernmental agreement must state the date on which the department shall begin collect-  
 17 ing registration fees for the county.

18 (2) The authority granted by this section allows the establishment of registration fees in addition  
 19 to those described in ORS 803.420 and 803.422. There is no authority under this section to affect  
 20 registration periods, qualifications, cards, plates, requirements or any other provision relating to  
 21 vehicle registration under the vehicle code.

22 (3) Except as otherwise provided for in this subsection, when registration fees are imposed under  
 23 this section, they must be imposed on all vehicle classes. Registration fees as provided under this  
 24 section may not be imposed on the following:

- 25 (a) Snowmobiles and [*Class I*] all-terrain vehicles.
- 26 (b) Fixed load vehicles.
- 27 (c) Vehicles registered under ORS 805.100 to disabled veterans.
- 28 (d) Vehicles registered as antique vehicles under ORS 805.010.
- 29 (e) Vehicles registered as vehicles of special interest under ORS 805.020.
- 30 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
- 31 (g) School buses or school activity vehicles registered under ORS 805.050.
- 32 (h) Law enforcement undercover vehicles registered under ORS 805.060.
- 33 (i) Vehicles registered on a proportional basis for interstate operation.
- 34 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (14)(a)

35 or (b).

36 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.

37 (L) Travel trailers, campers and motor homes.

38 (m) Vehicles registered to an employment address as provided in ORS 802.250 when the eligible  
 39 public employee or household member's residence address is not within the county of the employ-  
 40 ment address. The department may adopt rules it considers necessary for the administration of this  
 41 paragraph.

42 (n) Vehicles registered under ORS 805.110 to former prisoners of war.

43 (4) Any registration fee imposed by a county must be a fixed amount not to exceed, with respect  
 44 to any vehicle class, the sum of the registration fee established under ORS 803.420 (6)(a) and the fee  
 45 applicable to the registered vehicle under ORS 803.422. For vehicles on which a flat fee is imposed

1 under ORS 803.420, the fee must be a whole dollar amount.

2 (5) Moneys from registration fees established under this section must be paid to the county es-  
 3 tablishing the registration fees as provided in ORS 802.110.

4 (6) The county ordinance shall provide for payment of at least 40 percent of the moneys to cities  
 5 within the county unless a different distribution is agreed upon by the county and the cities within  
 6 the jurisdiction of the county.

7 (7) The moneys for the cities and the county shall be used for any purpose for which moneys  
 8 from registration fees may be used, including the payment of debt service and costs related to bonds  
 9 or other obligations issued for such purposes.

10 (8) Two or more counties may act jointly to impose a registration fee under this section. The  
 11 ordinance of each county acting jointly with another under this subsection must provide for the  
 12 distribution of moneys collected through a joint registration fee.

13 **SECTION 13.** ORS 801.042, as amended by section 25, chapter 93, Oregon Laws 2018, is  
 14 amended to read:

15 801.042. The following apply to the authority granted to a district by ORS 801.040 to establish  
 16 registration fees for vehicles:

17 (1) Before the governing body of a district can impose a registration fee under this section, it  
 18 must submit the proposal to the electors of the district for their approval and, if the proposal is  
 19 approved, enter into an intergovernmental agreement under ORS 190.010 with the governing bodies  
 20 of all counties, other districts and cities with populations of over 300,000 that overlap the district.  
 21 The intergovernmental agreement must state the registration fees and, if necessary, how the revenue  
 22 from the fees shall be apportioned among counties and the districts. Before the governing body of  
 23 a county can enter into such an intergovernmental agreement, the county shall consult with the  
 24 cities in its jurisdiction.

25 (2) If a district raises revenues from a registration fee for purposes related to highways, roads,  
 26 streets and roadside rest areas, the governing body of that district shall establish a Regional Ar-  
 27 terial Fund and shall deposit in the Regional Arterial Fund all such registration fees.

28 (3) Interest received on moneys credited to the Regional Arterial Fund shall accrue to and be-  
 29 come a part of the Regional Arterial Fund.

30 (4) The Regional Arterial Fund must be administered by the governing body of the district re-  
 31 ferred to in subsection (2) of this section and such governing body by ordinance may disburse mon-  
 32 eys in the Regional Arterial Fund. Moneys within the Regional Arterial Fund may be disbursed only  
 33 for a program of projects recommended by a joint policy advisory committee on transportation  
 34 consisting of local officials and state agency representatives designated by the district referred to  
 35 in subsection (2) of this section. The projects for which the joint policy advisory committee on  
 36 transportation can recommend funding must concern arterials, collectors or other improvements  
 37 designated by the joint policy advisory committee on transportation.

38 (5) Ordinances establishing registration fees under this section must be filed with the Depart-  
 39 ment of Transportation. The governing body of the district imposing the registration fee shall enter  
 40 into an intergovernmental agreement under ORS 190.010 with the department by which the depart-  
 41 ment shall collect the registration fees, pay them over to the district and, if necessary, allow the  
 42 credit or credits described in ORS 803.445 (5). The intergovernmental agreement must state the date  
 43 on which the department shall begin collecting registration fees for the district.

44 (6) The authority granted by this section allows the establishment of registration fees in addition  
 45 to those described in ORS 803.420 and 803.422. There is no authority under this section to affect

1 registration periods, qualifications, cards, plates, requirements or any other provision relating to  
 2 vehicle registration under the vehicle code.

3 (7) Except as otherwise provided for in this subsection, when registration fees are imposed under  
 4 this section, the fees must be imposed on all vehicle classes. Registration fees as provided under this  
 5 section may not be imposed on the following:

- 6 (a) Snowmobiles and [*Class I*] all-terrain vehicles.
- 7 (b) Fixed load vehicles.
- 8 (c) Vehicles registered under ORS 805.100 to disabled veterans.
- 9 (d) Vehicles registered as antique vehicles under ORS 805.010.
- 10 (e) Vehicles registered as vehicles of special interest under ORS 805.020.
- 11 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.
- 12 (g) School buses or school activity vehicles registered under ORS 805.050.
- 13 (h) Law enforcement undercover vehicles registered under ORS 805.060.
- 14 (i) Vehicles registered on a proportional basis for interstate operation.
- 15 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (14)(a)  
 16 or (b).
- 17 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.
- 18 (L) Travel trailers, campers and motor homes.

19 (m) Vehicles registered to an employment address as provided in ORS 802.250 when the eligible  
 20 public employee or household member's residence address is not within the county of the employ-  
 21 ment address. The department may adopt rules it considers necessary for the administration of this  
 22 paragraph.

23 (n) Vehicles registered under ORS 805.110 to former prisoners of war.

24 (8) Any registration fee imposed by the governing body of a district must be a fixed amount not  
 25 to exceed, with respect to any vehicle class, the registration fee established under ORS 803.420 (6)(a)  
 26 and the fee applicable to the registered vehicle under ORS 803.422. For vehicles on which a flat fee  
 27 is imposed under ORS 803.420, the fee must be a whole dollar amount.

28 **SECTION 14.** ORS 803.505 is amended to read:

29 803.505. (1) The owner of a vehicle that is registered in this state commits the offense of failure  
 30 to carry a registration card if the owner does not place and keep the card in or on the vehicle in  
 31 a manner that makes it readily available for police inspection upon request.

32 (2) The following apply to the offense described in this section:

33 (a) The owner of a commercial vehicle is not in violation of this section if a photocopy of the  
 34 card is used.

35 (b) In the case of a camper, the owner shall keep the registration card in the transporting ve-  
 36 hicle.

37 (c) In the case of a snowmobile **or all-terrain vehicle** the registration card or certificate shall  
 38 be in a place that is readily accessible whether or not the snowmobile **or all-terrain vehicle** is in  
 39 operation.

40 (3) The offense described in this section, failure to carry a registration card, is a Class D traffic  
 41 violation.

42 **SECTION 15.** ORS 803.565 is amended to read:

43 803.565. (1) Except as provided in subsections (2) and (3) of this section, when a person who has  
 44 a vehicle dealer certificate issued under ORS 822.020 or a towing business certificate issued under  
 45 ORS 822.205 sells a motor vehicle that has valid Oregon registration plates, the person shall remove

1 the registration stickers from the registration plates of the vehicle if the vehicle:

2 (a) Has a gross vehicle weight rating of 8,000 pounds or less;

3 (b) Is designed to carry passengers; and

4 (c) Is not a motorcycle, moped, **all-terrain vehicle** or snowmobile.

5 (2) A person who has a vehicle dealer certificate issued under ORS 822.020 need not remove  
6 registration stickers under subsection (1) of this section if:

7 (a) The person submits title and registration documents to the Department of Transportation on  
8 behalf of the buyer of the vehicle; or

9 (b) The person sells the vehicle to another person who has a vehicle dealer certificate issued  
10 under ORS 822.020.

11 (3) A person who has a towing business certificate issued under ORS 822.205 need not remove  
12 registration stickers under subsection (1) of this section if the person sells the vehicle to a person  
13 who has a vehicle dealer certificate issued under ORS 822.020 or to a person who has a dismantler  
14 certificate issued under ORS 822.110.

15 **SECTION 16.** ORS 805.250 is amended to read:

16 805.250. *[This section establishes fees for issuance of registration plates authorized under ORS*  
17 *805.200.]* If a fee for **issuance of registration** plates authorized *[in]* **under** ORS 805.200 is not es-  
18 tablished in this section, the fee is the same fee as established under ORS 803.570. *[Where]* **When**  
19 a fee is established under this section, the fee is in addition to the fee established under ORS 803.570  
20 unless otherwise provided in the following:

21 (1) Amateur radio operator registration plates issued under ORS 805.230, \$5.

22 (2) Customized registration plates issued under ORS 805.240:

23 (a) For original issuance or renewal, \$50 annual fee.

24 (b) For issuance of a duplicate or replacement plate, \$5 when the plate is issued at the time of  
25 renewal of registration or \$10 when the plate is issued at any other time.

26 (3) Special interest registration plates approved under ORS 805.210 are approved without cost  
27 except as provided in this subsection, including without payment of the fee established under ORS  
28 803.570. If identifying stickers are required, \$1 per sticker or pair of stickers.

29 (4) Dealer plates issued under ORS 822.020 and 822.040 are as follows:

30 (a) For the original dealer plate, no fee except the fee established under ORS 803.570.

31 (b) For replacement dealer plates, \$10 for each plate except that persons dealing exclusively in  
32 motorcycles, mopeds, **all-terrain vehicles**, snowmobiles or any combination of those vehicles shall  
33 pay only \$3 for each replacement plate.

34 (c) For additional plates, or for renewal of registration, \$42, except that persons dealing exclu-  
35 sively in motorcycles, mopeds or snowmobiles or any combination of those vehicles shall pay only  
36 \$9 for each additional plate, or for renewal of registration.

37 (5) Special vehicle transporter plates or devices issued under ORS 822.310, \$5 for each plate or  
38 device.

39 **SECTION 17.** ORS 821.050 is amended to read:

40 821.050. (1) Limits on the authority of cities, counties or other political subdivisions of this state  
41 or any state agency are as imposed under ORS 801.040.

42 (2) Fees collected by the Department of Transportation in the regulation of snowmobiles shall  
43 be used as provided in ORS 802.110 and 802.120.

44 **(3) Registration fees collected by the department in the regulation of all-terrain vehicles**  
45 **shall be used as provided in ORS 390.560.**

**CAPTIONS**

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**SECTION 18. The unit captions used in this 2019 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2019 Act.**

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