

SENATE AMENDMENTS TO SENATE BILL 57

By JOINT COMMITTEE ON TRANSPORTATION

May 6

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and delete lines 3
2 through 6 and insert “802.010, 802.112, 802.200, 802.210, 803.045, 803.360, 803.460, 803.565, 803.600,
3 803.602, 806.050, 806.150, 806.180, 806.220, 806.240, 806.245, 806.300, 807.130, 807.140, 807.160, 807.400,
4 807.480, 807.560, 809.090, 809.380, 809.415, 809.416, 809.430, 809.450, 811.180, 811.725, 811.735, 813.410
5 and 826.031; repealing ORS 806.160; and declaring an emergency.”.

6 On page 12, delete lines 6 through 45 and delete pages 13 through 34 and insert:
7

“VEHICLE TITLES

8
9

10 “**SECTION 18.** ORS 803.045 is amended to read:

11 “803.045. (1) The Department of Transportation shall issue title for a vehicle if the applicant and
12 the vehicle meet the following qualifications:

13 “(a) The applicant must satisfy the department that the applicant is the owner of the vehicle
14 and is otherwise entitled to have title issued in the applicant’s name.

15 “(b) Except as otherwise provided in ORS 803.050 (2), the applicant must submit a completed and
16 signed application for title described in ORS 803.050.

17 “(c) The applicant must pay the fee for issuance of a certificate of title under ORS 803.090 or
18 the fee for issuance of title in another form, as established by the department by rule in accordance
19 with ORS 803.012.

20 “(d) If the vehicle is a reconstructed vehicle or an assembled vehicle, the applicant must provide
21 the following information in addition to any other information required under this section:

22 “(A) The certificate of title last issued for the frame of the vehicle, a salvage title certificate
23 issued for the vehicle or other evidence of ownership satisfactory to the department.

24 “(B) Bills of sale for major components used to build the vehicle.

25 “(e) If the vehicle is covered by an Oregon title or salvage title certificate, the applicant shall
26 surrender the Oregon title or salvage title certificate, submit an application as provided under ORS
27 803.065 or submit other evidence of ownership satisfactory to the department.

28 “(f) Unless the department adopts rules to the contrary, if the vehicle is from another jurisdic-
29 tion, the applicant shall surrender to the department with the application the certificate of title is-
30 sued by the other jurisdiction, if such jurisdiction requires certificates of title. If such jurisdiction
31 does not require certificates of title, then the applicant shall surrender the registration cards.

32 “(g) If required by the department, the applicant must submit proof of ownership as described
33 under ORS 803.205.

34 “(h) Other than a racing activity vehicle as defined in ORS 801.404, if the department has reason
35 to believe a vehicle was not certified by the original manufacturer as conforming to federal vehicle

1 standards, the department may require the applicant to provide proof satisfactory to the department
2 that the vehicle conforms to federal vehicle standards.

3 “(i) Unless the vehicle is exempted from odometer disclosure requirements, the applicant shall
4 submit an appropriate odometer disclosure form. The department shall determine what constitutes
5 an appropriate form in any particular situation. The department may make exceptions by rule to the
6 requirement for submission of an odometer disclosure form.

7 “(2)(a) The department may not issue title for a vehicle:

8 “(A) Required by ORS 803.210 to be inspected unless the vehicle has been inspected as described
9 in ORS 803.212 and the inspection fee paid under ORS 803.215.

10 “(B) If the current vehicle title, certificate, [or] ownership document **or the vehicle record**
11 **available through electronic record inquiry:**

12 “(i) **Has a junk status;**

13 “(ii) Is a junk title, junk certificate or similar ownership document issued by another
14 jurisdiction[,] or

15 “(iii) Has a junk or similar brand or notation.

16 “(b) The department may adopt any rules it considers necessary for the administration of this
17 subsection.

18
19 **“OUT-OF-STATE DRIVING RECORDS**

20
21 **“SECTION 19.** ORS 802.200 is amended to read:

22 “802.200. In addition to any other records the Department of Transportation may establish, the
23 department is subject to the following provisions concerning records:

24 “(1) The department shall maintain records concerning the titling of vehicles in this state. The
25 records under this subsection shall include the following:

26 “(a) For vehicles issued a title by this state, the records shall identify the vehicle and contain
27 the following:

28 “(A) The name of the vehicle owner and any security interest holders in order of priority, except
29 that a security interest holder need not be identified if the debtor who granted the interest is in the
30 business of selling vehicles and the vehicles constitute inventory held for sale;

31 “(B) The name of any lessor of the vehicle;

32 “(C) The vehicle description; and

33 “(D) Whether a certificate of title was issued for the vehicle.

34 “(b) If the vehicle is an antique vehicle that is reconstructed, the records shall indicate that the
35 vehicle is reconstructed.

36 “(c) If the vehicle is a replica, the records shall indicate that the vehicle is a replica.

37 “(d) Any other information concerning the titling of vehicles that the department considers
38 convenient or appropriate.

39 “(e) All odometer disclosures and readings for a vehicle that are reported to the department
40 under provisions of the vehicle code. The department shall keep the most recent version of records
41 required under this paragraph in electronic form.

42 “(f) If the vehicle has been reported to the department as a totaled vehicle under the provisions
43 of ORS 819.012 or 819.014, the records shall indicate that the vehicle is a totaled vehicle unless the
44 reason for the report was theft and the vehicle has been recovered.

45 “(2) If a vehicle that has been registered or titled in another jurisdiction is registered or titled

1 in this state, the department shall retain a record of any odometer readings shown on the title or
2 registration documents submitted to the department at the time of registration or title.

3 “(3) Except as otherwise provided in ORS 826.003, the department shall maintain records con-
4 cerning the registration of vehicles required to be registered by the department. The records con-
5 cerning the registration of vehicles may be stored along with records concerning the titling of
6 vehicles. The records under this subsection shall include the following:

7 “(a) For vehicles registered by the department, the records shall identify the vehicle and contain
8 the following:

9 “(A) The registration plate number assigned by the department to the vehicle;

10 “(B) The name of the vehicle owner;

11 “(C) The vehicle description and vehicle identification number; and

12 “(D) An indication that the vehicle is a totaled vehicle if it has been reported to the department
13 as a totaled vehicle under the provisions of ORS 819.012 or 819.014, unless the reason for the report
14 was theft and the vehicle has been recovered.

15 “(b) Any other information concerning the registration of vehicles that the department considers
16 convenient or appropriate.

17 “(4) The department shall maintain separate records for the regulation of vehicle dealers. The
18 records required under this subsection shall include the following information about persons issued
19 dealer certificates:

20 “(a) The person’s application for a vehicle dealer certificate.

21 “(b) An alphabetical index of the name of each person applying for a vehicle dealer certificate.

22 “(c) A numerical index according to the distinctive number assigned to each vehicle dealer.

23 “(5) The department shall maintain a file on vehicles for which the title record is canceled under
24 ORS 819.030. The records required under this subsection shall disclose the last registered owner of
25 each vehicle, any security interest holder or holders and lessors of each vehicle as shown by the
26 canceled title record for each vehicle and the make and year model for each vehicle.

27 “(6) The department shall maintain a record of each agreement or declaration under ORS
28 802.500 and 802.520.

29 “(7) The department shall maintain separate and comprehensive records of all transactions af-
30 fecting the Revolving Account for Emergency Cash Advances described under ORS 802.100.

31 “(8) The department shall maintain suitable records of driver licenses, driver permits and iden-
32 tification cards. The records required under this subsection shall include all of the following:

33 “(a) An index by name and number.

34 “(b) Supporting documentation of all driver licenses, driver permits or identification cards is-
35 sued.

36 “(c) Every application for a driver license, driver permit or identification card.

37 “(d) All driver licenses or driver permits that have been suspended, [or] revoked **or canceled**.

38 “(e) For each driver license, driver permit or identification card, the Social Security number of
39 the person to whom the driver license, driver permit or identification card is issued or proof that
40 the person is not eligible for a Social Security number.

41 “(f) For each commercial driver license and commercial learner driver permit, the Social Secu-
42 rity number of the person to whom the license or permit is issued, or any other number or identi-
43 fying information that the Secretary of the United States Department of Transportation determines
44 appropriate to identify the person.

45 “(9) The Department of Transportation shall maintain a two-part driving record consisting of

1 an employment driving record and a nonemployment driving record for each person as required un-
2 der this subsection. All of the following apply to the records required under this subsection:

3 “(a) The department shall maintain driving records on **each person the department deter-**
4 **mines requires an Oregon driving record to comply with federal regulations or provisions of**
5 **the vehicle code. The department shall establish rules for maintaining driving records under**
6 **this subsection.**[.]

7 “[*(A) Every person who is granted driving privileges under a driver license, driver permit or a*
8 *statutory grant of driving privileges under ORS 807.020;*]

9 “[*(B) Every person whose driving privileges have been suspended, revoked or canceled under this*
10 *vehicle code;*]

11 “[*(C) Every person who has filed an accident report under ORS 811.725 or 811.730; and*]

12 “[*(D) Every person who is required to provide future responsibility filings under ORS 806.200,*
13 *806.220, 806.230 or 806.240.*]

14 “(b) In addition to other information required by this paragraph, the employment driving record
15 shall include all reports of drug test results that are made to the department under ORS 825.410 or
16 825.415. Notwithstanding any other provision of law, release of the portion of the employment driv-
17 ing record that shows drug test results reported under ORS 825.410 or 825.415 is permitted only in
18 accordance with ORS 802.202. The employment driving record shall also include all motor vehicle
19 accidents that the person is required to report under ORS 811.720, all suspensions of driving privi-
20 leges required to be placed on the record under ORS 809.280, all suspensions of the person’s com-
21 mercial driving privileges that result from operation or use of a commercial motor vehicle and all
22 convictions, **as determined by the department by rule**, of the person for violation of motor vehi-
23 cle laws except convictions for offenses requiring mandatory revocation or suspension of driving
24 privileges under ORS 809.409, 809.411, 809.510 to 809.545 and 813.400, but shall include only such
25 accidents, suspensions and convictions that occur while the person is driving a motor vehicle:

26 “(A) In the course of the person’s employment when the person is employed by another for the
27 principal purpose of driving a motor vehicle;

28 “(B) Carrying persons or property for compensation;

29 “(C) In the course of the person’s employment in the collection, transportation or delivery of
30 mail if the vehicle is government owned or marked for the collection, transportation or delivery of
31 mail in accordance with government rules;

32 “(D) That is an authorized emergency vehicle;

33 “(E) That is a commercial motor vehicle; or

34 “(F) In the course of the person’s employment with a federal, state or local government in a
35 public works project involving repair or maintenance of water, sewer or road systems.

36 “(c) The nonemployment driving record shall include the person’s:

37 “(A) Motor vehicle accidents that the person is required to report under ORS 811.720, other
38 than the motor vehicle accidents that are included on the person’s employment driving record;

39 “(B) Suspensions, cancellations and revocations of licenses, permits and driving privileges;

40 “(C) **Judgments and convictions, as determined by the department by rule**, for violation of
41 the motor vehicle laws [*other than those included in the employment driving record*] including, for
42 each violation of ORS 811.100 or 811.111, the speed at which the person was convicted of traveling
43 and the posted speed, the speed limit or the speed that constitutes prima facie evidence of violation
44 of the basic speed rule, as appropriate; and

45 “(D) Diversion agreements entered into under ORS 813.220 within the preceding 15 years.

1 “(d) The department may record other entries to indicate correspondence, interviews, partic-
2 ipation in driver improvement programs or other matters concerning the status of the driving priv-
3 ileges of the person.

4 “(e) When a person [*from another jurisdiction applies for a*] **is issued a** driver license or driver
5 permit [*issued*] by this state, the department [*shall*] **may** request a copy of [*the person’s*] driving
6 [*record*] **records that exist for the person in any** [*from the*] other jurisdiction. [*At the time the*
7 *person is issued a license in Oregon, the record from the other jurisdiction shall become part of the*
8 *driver’s record in this state with the same force and effect as though entered on the driver’s record in*
9 *this state in the original instance.*] The department [*by rule may specify methods for converting*] **shall**
10 **adopt rules specifying when the department may request driving records from other juris-**
11 **dictions and may apply** entries from out-of-state records for use in Oregon.

12 “(f) When a suspension of a driver permit, driver license or other driving privilege is placed on
13 the driving record under ORS 809.280 for failure to appear in court on a traffic crime, the depart-
14 ment shall note on the record that the suspension was for failure to appear in court and shall also
15 note the offense charged against the person on which the person failed to appear.

16 “(g) The Department of Transportation, in consultation with the Department of State Police,
17 shall devise and implement a method of noting suspensions and revocations of driving privileges on
18 the record in such a way that police agencies can determine directly from the record what class of
19 offense, as provided by law, is committed by a person who drives in violation of the suspension or
20 revocation. If the Department of Transportation and the Department of State Police devise a mutu-
21 ally agreeable alternative method of informing police agencies of the nature of a suspension or re-
22 vocation and the consequences of its violation, the implementation of that method shall satisfy the
23 duty of the Department of Transportation under this paragraph.

24 “[*10*] *The Department of Transportation shall maintain records of judgments or convictions sent*
25 *to the department under ORS 810.375.*]

26 “[*11*] **(10)** The department shall maintain accident reports filed with the department under ORS
27 810.460 and 811.725 to 811.735.

28 “[*12*] **(11)** The department shall maintain records of bank checks or money orders returned
29 under ORS 802.110.

30 “[*13*] **(12)** The department shall maintain records of trip permits issued by the department un-
31 der ORS 803.600, as provided under this subsection. The records required by this subsection shall
32 include the following:

33 “(a) A description of the vehicle sufficient to identify the vehicle.

34 “(b) The person to whom the permit was issued.

35 “(c) When the permit was issued.

36 “(d) The type of permit issued.

37 “(e) For registration weight trip permits, the maximum allowable registration weight permitted
38 for operation under the permit.

39 “(f) Any other information the department determines appropriate or convenient.

40
41 **“NOTICE OF EXPIRATION OF DRIVER LICENSES**
42 **OR IDENTIFICATION CARDS**

43
44 **“SECTION 20.** ORS 807.140 is amended to read:

45 “807.140. (1) Before the expiration of any license or a license with an endorsement under the

1 vehicle code, the Department of Transportation shall notify the person to whom the license was is-
2 sued of the approaching expiration. Within a reasonable time prior to the expiration date, [*the notice*
3 *shall be mailed to the person to whom the license was issued at the address shown in the files main-*
4 *tained by*] the department **shall notify the person to whom the license was issued in the manner**
5 **determined by the department by rule.**

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

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

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

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

18 “**SECTION 21.** ORS 802.210 is amended to read:

19 “802.210. The Department of Transportation is not required to maintain records on any of the
20 following:

21 “(1) The preparation and [*sending of notices*] **notification** required on approaching expiration
22 of registration under ORS 803.450.

23 “(2) The preparation and [*mailing of notices*] **notification** required on approaching expiration
24 of driver license or driver permit under ORS 807.140.

25 26 “REQUEST FOR IMPLIED CONSENT HEARINGS

27
28 “**SECTION 22.** ORS 813.410 is amended to read:

29 “813.410. (1) If the Department of Transportation receives from a police officer a report that is
30 in substantial compliance with ORS 813.120, the department shall suspend the driving privileges of
31 the person in this state on the 30th day after the date of arrest or, if the report indicates that the
32 person failed a blood test, on the 60th day after receipt of the report, unless, at a hearing described
33 under this section, the department determines that the suspension would not be valid as described
34 in this section. A suspension of driving privileges imposed under this subsection shall be for a period
35 of time established under ORS 813.420.

36 “(2) If the department receives from a police officer a report [*pursuant to*] **under** ORS 813.120
37 and the person holds commercial driving privileges and the person was driving a motor vehicle or
38 commercial motor vehicle and refused to submit to a test under ORS 813.100 or the person was
39 driving a commercial motor vehicle and submitted to a breath or blood test and the person’s blood,
40 as shown by the test, had 0.04 percent or more by weight of alcohol, the department shall suspend
41 the person’s commercial driving privileges on the 30th day after the date of arrest or, if the report
42 indicates that the person failed a blood test, on the 60th day after receipt of the report, unless, at
43 a hearing described under this section, the department determines that the suspension would not
44 be valid as described in this section. A commercial driving privileges suspension imposed under this
45 subsection shall be for a period of time established under ORS 809.510 or 809.520.

1 “(3) If within 10 days from the date of arrest, or, if the person fails a blood test, within 10 days
2 from the date the department sends notice of suspension, the department receives a [*written*] request
3 for a hearing from a person whose driving privileges or commercial driving privileges the depart-
4 ment proposes to suspend under this section, the department shall provide a hearing in accordance
5 with this section. **The person shall request a hearing in the form and manner prescribed by**
6 **the department by rule.** Except as otherwise provided under this section, a hearing held by the
7 department under this section [*shall be*] **is** subject to the provisions for contested cases, other than
8 appeal provisions, under ORS chapter 183. The applicable appeal provisions are as provided under
9 ORS 813.450 and section 24, chapter 672, Oregon Laws 1985. Notwithstanding ORS 809.430, the de-
10 partment is not required to give any notice of intent to suspend or suspension in addition to that
11 provided under ORS 813.100.

12 “(4) Except as provided in subsection (5) of this section, a hearing required by this section is
13 subject to all of the following:

14 “(a) The hearing shall be conducted by an administrative law judge assigned from the Office of
15 Administrative Hearings established under ORS 183.605.

16 “(b) The administrative law judge shall conduct the hearing by telephone or other two-way
17 electronic communication device.

18 “(c) The department may authorize the administrative law judge to issue a final order in any
19 case.

20 “(d) A person who requests a hearing under this section and who fails, without just cause, to
21 appear personally or through an attorney waives the right to a hearing. If a person waives a right
22 to a hearing under this paragraph, the department is not required to make any showing at hearing.

23 “(e) Except as provided in ORS 813.440 or upon remand under ORS 813.450, the department shall
24 hold the hearing and issue a final order within 30 days of the date of the arrest or, if the person fails
25 a blood test, within 60 days from the date the department received the report of the failure.

26 “(f) In connection with the hearing, the department or its authorized representative may ad-
27 minister oaths and shall issue subpoenas for the appearance of witnesses by telephone or other
28 two-way electronic communication device at the hearing requested by the person or the department
29 and the production of relevant documents.

30 “(g) The hearing shall be recorded by whatever means may be determined by the department
31 and shall include testimony and exhibits, if any. The record of the proceedings may not be tran-
32 scribed unless requested by a party to the proceeding.

33 “(5)(a) A person or a police officer may request that a hearing required by this section be con-
34 ducted in person.

35 “(b) The department, by rule, shall establish the manner and time limitation requirements by
36 which a person or a police officer may request that a hearing be conducted in person.

37 “(c) Unless there is an agreement between the person and the department that the hearing be
38 conducted elsewhere, a hearing requested under this subsection shall be held either in the county
39 where the alleged offense occurred or at any place within 100 miles of the place where the offense
40 is alleged to have occurred, as established by the department by rule.

41 “(d) In connection with the hearing, the department or its authorized representative may ad-
42 minister oaths and shall issue subpoenas for the attendance of witnesses at the hearing requested
43 under this subsection by the person and the production of relevant documents.

44 “(6) This subsection shall be narrowly construed so as to effect the legislative purpose of limit-
45 ing the scope of hearings under this section. The scope of a hearing under this section shall be

1 limited to whether the suspension is valid as described in this subsection. A suspension under this
2 section is valid if all of the following requirements have been met:

3 “(a) The person, at the time the person was requested to submit to a test under ORS 813.100,
4 was under arrest for driving while under the influence of intoxicants in violation of ORS 813.010 or
5 a municipal ordinance.

6 “(b) The police had reasonable grounds to believe, at the time the request was made, that the
7 person arrested had been driving under the influence of intoxicants in violation of ORS 813.010 or
8 of a municipal ordinance.

9 “(c) The person refused a test under ORS 813.100, or took a breath or blood test and the test
10 disclosed that the level of alcohol in the person’s blood at the time of the test was:

11 “(A) 0.08 percent or more by weight if the person was not driving a commercial motor vehicle;

12 “(B) 0.04 percent or more by weight if the person was driving a commercial motor vehicle; or

13 “(C) Any amount if the person was under 21 years of age.

14 “(d) If the report under ORS 813.120 indicates that the person was driving a commercial motor
15 vehicle, the vehicle was in fact a commercial motor vehicle as defined in ORS 801.208.

16 “(e) The person had been informed under ORS 813.100 of rights and consequences as described
17 under ORS 813.130.

18 “(f) The person was given written notice required under ORS 813.100.

19 “(g) If the person arrested submitted to a test under ORS 813.100, the person administering the
20 test was qualified to administer the test under ORS 813.160.

21 “(h) If the person arrested submitted to a test under ORS 813.100, the methods, procedures and
22 equipment used in the test complied with requirements under ORS 813.160.

23 “(7) A suspension imposed under this section shall remain in effect pending any appeal or re-
24 mand of a final order issued under this section and there shall be no stay of the suspension pending
25 appeal or remand.

26 “(8) Unless a person fails, without just cause, to appear personally or through an attorney at a
27 hearing requested under this section, a person shall have the right to appeal any final order by the
28 department after a hearing under this section by filing a petition. The following apply to this sub-
29 section:

30 “(a) The person shall file the petition in the circuit court for the county where the person re-
31 sides or, if the person does not reside in Oregon, in the circuit court of the county in which the
32 arrest took place within 30 days after issuance of the final order of the department.

33 “(b) The court upon receipt of the petition shall set the matter for hearing upon 10 days’ notice
34 to the department and the petitioner unless hearing is waived by both the department and the
35 petitioner.

36
37 **“DRIVING PRIVILEGE SUSPENSION NOTICES**

38
39 **“SECTION 23.** ORS 809.416, as amended by section 34, chapter 76, Oregon Laws 2018, is
40 amended to read:

41 “809.416. This section establishes circumstances that will make a person subject to suspension
42 under ORS 809.415 (4) and what a person is required to do to make the person no longer subject to
43 suspension. The following apply as described:

44 “(1) A person is subject to suspension under ORS 809.415 (4) if the Department of Transportation
45 receives notice from a court to [*apply this section*] **commence suspension** under ORS 809.220. A

1 person who is subject under this subsection remains subject until the person presents the depart-
2 ment with notice issued by the court showing that the person is no longer subject to this section
3 or until 10 years have elapsed from the date the traffic offense or violation of ORS 471.430 occurred,
4 whichever is earlier. This subsection [*shall*] **does** not subject a person to ORS 809.415 (4) for any
5 pedestrian offense, bicycling offense or parking offense. Upon receipt of notice from a court **to**
6 **commence suspension under ORS 809.220**, the department shall [*send a letter by first class mail*
7 *advising the person*] **notify the person, in a manner determined by the department by rule**, that
8 the suspension will commence 60 days from the date [*of the letter*] **the department sent the no-**
9 **notification** unless the person presents the department with [*the notice required by this subsection*]
10 **notice issued by the court showing that the person is no longer subject to this section.**

11 “(2) A person is subject to suspension under ORS 809.415 (4) if the department receives a notice
12 of suspension from a court under ORS 809.210 indicating that the person has failed or refused to pay
13 a fine or obey an order of the court. A person who is subject under this subsection remains subject
14 until the earlier of the following:

15 “(a) The person presents the department with a notice of reinstatement issued by the court
16 showing that the person:

17 “(A) Is making payments, has paid the fine or has obeyed the order of the court; or

18 “(B) Has enrolled in a preapprenticeship program, as defined in ORS 660.010, or is a registered
19 apprentice under ORS 660.020; or

20 “(b) Twenty years have elapsed from the date the traffic offense occurred.

21 “(3) [*Subsection (2) of this section does not subject a person to*] **Notwithstanding subsection (2)**
22 **of this section, a person is not subject to suspension under** ORS 809.415 (4) for failure or refusal
23 to pay a fine relating to any pedestrian offense, bicycling offense or parking offense.

24 “(4) Upon receipt of a notice of suspension from a court, the department shall [*send a letter by*
25 *first class mail advising*] **notify the person, in the manner provided by the department by rule**,
26 that the suspension will commence 60 days from the date [*of the letter*] **the department sent the**
27 **notification** unless the person presents the department with [*the*] **a** notice of reinstatement [*required*
28 *by this*] **as described in subsection (2)(a) of this section.**

29 “**SECTION 24.** ORS 809.430 is amended to read:

30 “809.430. (1) When the Department of Transportation, as authorized or required, suspends, re-
31 vokes or cancels driving privileges, commercial driving privileges or the right to apply for driving
32 privileges or commercial driving privileges, the department shall give notice under this section of
33 such action to the person whose driving privileges, commercial driving privileges or right to apply
34 is affected.

35 “(2) Notice under this section shall state the nature and reason for the action and, in the case
36 of a suspension, whether it was ordered by a court.

37 “[*(3) If violation of a suspension or revocation would constitute the offense described in ORS*
38 *811.182, service of notice of the suspension or revocation under this section is accomplished by:*]

39 “[*(a) Mailing the notice by certified mail, restricted delivery, return receipt requested, to the*
40 *person’s address as shown by driver licensing records of the department; or*]

41 “[*(b) Personal service in the same manner as a summons is served in an action at law.*]

42 “[*(4) Service of notice under this section for all other actions is accomplished by:*]

43 “[*(a) Mailing the notice by first class mail to the person’s address as shown by driver licensing*
44 *records of the department; or*]

45 “[*(b) Personal service in the same manner as a summons is served in an action at law.*]

1 “(3) The department shall serve the notice in a manner determined by the department
2 by rule.

3 “**SECTION 25.** ORS 811.180 is amended to read:

4 “811.180. The following establishes affirmative defenses in prosecutions for driving while sus-
5 pended or revoked in violation of ORS 811.175 or 811.182 and describes when the affirmative de-
6 fenses are not available:

7 “(1) In addition to other defenses provided by law, including but not limited to ORS 161.200, it
8 is an affirmative defense to the offenses described in ORS 811.175 and 811.182 that:

9 “(a) An injury or immediate threat of injury to a human being or animal, and the urgency of the
10 circumstances made it necessary for the defendant to drive a motor vehicle at the time and place
11 in question; or

12 “(b) The defendant had not received notice of the defendant’s suspension or revocation or been
13 informed of the suspension or revocation by a trial judge who ordered a suspension or revocation
14 of the defendant’s driving privileges or right to apply.

15 “(2) The affirmative defenses described in subsection (1)(b) of this section are not available to
16 a defendant under the circumstances described in this subsection. Any of the evidence specified in
17 this subsection may be offered in the prosecution’s case in chief. This subsection applies if any of
18 the following circumstances exist:

19 “(a) The defendant refused to **accept a notification provided by the department, including**
20 **refusing to** sign a receipt for the certified mail containing the notice of suspension or revocation.

21 “(b) The notice of suspension or revocation could not be delivered to the defendant because the
22 defendant failed to comply with the requirements under ORS 807.560 to notify the Department of
23 Transportation of a change of address or residence.

24 “(c) At a previous court appearance, the defendant had been informed by a trial judge that the
25 judge was ordering a suspension or revocation of the defendant’s driving privileges or right to apply.

26 “(d) The defendant had actual knowledge of the suspension or revocation by any means prior
27 to the time the defendant was stopped on the current charge.

28 “(e) The defendant was provided with notice of intent to suspend under ORS 813.100.

29
30 **“IDENTIFICATION CARDS**

31
32 “**SECTION 26.** ORS 807.400 is amended to read:

33 “807.400. (1) The Department of Transportation shall issue an identification card to any person
34 who:

35 “(a) Is domiciled in or is a resident of this state, as described in ORS 807.062;

36 “(b) As required by ORS 807.021 and 807.730, provides the Social Security number assigned to
37 the person by the United States Social Security Administration and proof of legal presence in the
38 United States or, if the person is not eligible for a Social Security number, proof of legal presence
39 in the United States and proof that the person is not eligible for a Social Security number;

40 “(c) Does not have a current, valid driver license;

41 “(d) Furnishes evidence of the person’s full legal name, age and identity as the department may
42 require; and

43 “(e) Submits to collection of biometric data by the department that establish the identity of the
44 person as provided in ORS 807.024.

45 “(2) The department shall work with other agencies and organizations to attempt to improve the

1 issuance system for identification cards.

2 “(3) Every original application for an identification card must be signed by the applicant. The
3 department shall require proof to verify the address of an applicant for issuance of an identification
4 card in addition to other documents the department may require of the applicant. If the address of
5 an applicant has changed since the last time an identification card was issued to or renewed for the
6 applicant, the department shall require proof to verify the address of the applicant for renewal of
7 an identification card, in addition to anything else the department may require. The department
8 shall adopt rules to identify what constitutes proof of address for purposes of this subsection. Ver-
9 ification of proof of address may include, but is not limited to, providing a utility bill, a tax return,
10 a record from a financial institution, a proof of insurance card or a health benefits card, a selective
11 service card, a mortgage document or a lease agreement. The applicant may provide the proof of
12 address by submitting proof in the form of an original document or a copy of a document, use an
13 electronic device to display proof of address, or provide proof through the use of a third party ad-
14 dress verification system.

15 “(4) Every identification card shall be issued upon the standard license form described under
16 ORS 807.110 and shall bear a statement to the effect that the identification card is not a license or
17 any other grant of driving privileges to operate a motor vehicle and is to be used for identification
18 purposes only. The department shall use the same security procedures, processes, materials and
19 features for an identification card as are required for a license under ORS 807.110. The identification
20 card is not required to contain the residence address of persons listed in ORS 807.110 (1)(e).

21 “(5) If the identification card is a limited term identification card issued under ORS 807.730, the
22 limited term identification card shall indicate:

23 “(a) That it is a limited term identification card; and

24 “(b) The date on which the limited term identification card expires.

25 “(6) Upon order of the juvenile court, the department shall include on the card the fact that the
26 person issued the identification card is an emancipated minor.

27 “(7) Upon request of the person to whom the identification card is issued and presentation of
28 proof, as determined by the department by rule, that the person is a veteran, as defined in ORS
29 408.225, the department shall include on the card the fact that the person is a veteran.

30 “(8) Each original identification card shall expire on a date consistent with the expiration dates
31 of licenses as set forth in ORS 807.130.

32 “(9) Identification cards shall be renewed under the terms for renewal of licenses as set forth
33 in ORS 807.150.

34 “(10) The fee for an original identification card or a renewal thereof shall be the fee established
35 under ORS 807.410.

36 “(11) An identification card becomes invalid if the holder of the card changes the holder’s resi-
37 dence address from that shown on the identification card and does not provide the department with
38 notice of the change as required under ORS 807.420.

39 “(12) If a person to whom an identification card was issued and who changes the person’s resi-
40 dence address [*appears in person at a department office that issues identification cards,*] **submits an**
41 **application for a replacement identification card,** the department may [*do any of the following:*]

42 “[(a)] issue a replacement identification card containing the new address upon receipt of the old
43 identification card and payment of the fee established [*for issuing a replacement identification card*
44 *with a changed address*] under ORS 807.410. Except as otherwise provided in subsection (14) of this
45 section, the replacement identification card shall bear the same distinguishing number as the card

1 being replaced.

2 “[(b) Note the new address on the old identification card in a manner to be determined by the de-
3 partment by rule.]

4 “(13) An identification card becomes invalid if the holder of the card changes the holder’s name
5 from that shown on the card, including a change of name by marriage, without providing the de-
6 partment with notice of the change as required under ORS 807.420. Upon receiving such notice and
7 the old identification card, the department shall issue a replacement identification card upon pay-
8 ment of the fee [required] **established** under ORS 807.410.

9 “(14) In the event that, for a reason identified by the department by rule, a person needs a re-
10 placement identification card that bears a distinguishing number different from the number on the
11 card being replaced, the person to whom the card was issued may obtain a replacement card from
12 the department upon furnishing proof satisfactory to the department of the need for such replace-
13 ment and payment of the [replacement] fee **established** under ORS 807.410.

14 “(15) If a person furnishes proof that the person is a veteran, as defined in ORS 408.225, and the
15 person’s identification card does not include the fact that the person is a veteran, the department
16 shall issue a replacement identification card that includes the fact that the person is a veteran.

17 “(16) The department may establish by rule reasons for issuing replacement identification cards
18 that are in addition to the reasons identified in subsections (12) to (15) of this section. The fee for
19 a replacement identification card is provided under ORS 807.410.

20 “(17) Upon cancellation of an identification card, the card is terminated and must be surren-
21 dered to the department. An identification card may be canceled for any of the reasons that driving
22 privileges or a driver license may be canceled under ORS 809.310. The department may reissue an
23 identification card canceled under this subsection when the applicant has satisfied all requirements
24 for the identification card.

25 “(18) Notwithstanding any other provision of this section, the department may issue an identifi-
26 cation card to a person under this subsection without charge when the person surrenders the
27 person’s driver license or driver permit to the department for reasons described in this subsection.
28 If the department issues an identification card under this subsection, the identification card shall
29 expire at the same time as the surrendered driver license or driver permit would have expired. An
30 identification card issued under this subsection is subject to the same requirements and fees for
31 renewal or upon expiration as any other identification card issued under this section. The depart-
32 ment may issue identification cards under this subsection for any of the following reasons:

33 “(a) The person voluntarily surrenders the person’s driver license or driver permit to the de-
34 partment based upon the person’s recognition that the person is no longer competent to drive.

35 “(b) The person’s driving privileges are suspended under ORS 809.419 (1). This paragraph only
36 applies if the person voluntarily surrenders the person’s driver license or driver permit to the de-
37 partment as provided under ORS 809.500.

38 “**SECTION 27.** ORS 807.400, as amended by section 18, chapter 568, Oregon Laws 2017, is
39 amended to read:

40 “807.400. (1) The Department of Transportation shall issue an identification card to any person
41 who:

42 “(a) Is domiciled in or is a resident of this state, as described in ORS 807.062;

43 “(b) As required by ORS 807.021 and 807.730, provides the Social Security number assigned to
44 the person by the United States Social Security Administration and proof of legal presence in the
45 United States or, if the person is not eligible for a Social Security number, proof of legal presence

1 in the United States and proof that the person is not eligible for a Social Security number;

2 “(c) Does not have a current, valid driver license;

3 “(d) Furnishes evidence of the person’s full legal name and date of birth; and

4 “(e) Submits to collection of biometric data by the department that establish the identity of the
5 person as provided in ORS 807.024.

6 “(2) The department shall work with other agencies and organizations to attempt to improve the
7 issuance system for identification cards.

8 “(3) Every original application for an identification card must be signed by the applicant. The
9 department shall require proof to verify the address of an applicant for issuance of an identification
10 card in addition to other documents the department may require of the applicant. If the address of
11 an applicant has changed since the last time an identification card was issued to or renewed for the
12 applicant, the department shall require proof to verify the address of the applicant for renewal of
13 an identification card, in addition to anything else the department may require. The department
14 shall adopt rules to identify what constitutes proof of address for purposes of this subsection. Proof
15 of address may include, but is not limited to, providing a utility bill, a tax return, a record from a
16 financial institution, a proof of insurance card or a health benefits card, a selective service card, a
17 mortgage document or a lease agreement. The applicant may provide the proof of address by sub-
18 mitting proof in the form of an original document or a copy of a document, use an electronic device
19 to display proof of address, or provide proof through the use of a third party address verification
20 system.

21 “(4) Every identification card shall be issued upon the standard driver license form described
22 under ORS 807.110 and shall bear a statement to the effect that the identification card is not a
23 driver license or any other grant of driving privileges to operate a motor vehicle and is to be used
24 for identification purposes only. The department shall use the same security procedures, processes,
25 materials and features for an identification card as are required for a driver license under ORS
26 807.110. The identification card is not required to contain the residence address of persons listed in
27 ORS 807.110 (1)(e).

28 “(5) If the identification card is a limited term identification card issued under ORS 807.730, the
29 limited term identification card shall indicate:

30 “(a) That it is a limited term identification card; and

31 “(b) The date on which the limited term identification card expires.

32 “(6) Upon order of the juvenile court, the department shall include on the card the fact that the
33 person issued the identification card is an emancipated minor.

34 “(7) Upon request of the person to whom the identification card is issued and presentation of
35 proof, as determined by the department by rule, that the person is a veteran, as defined in ORS
36 408.225, the department shall include on the card the fact that the person is a veteran.

37 “(8) Each original identification card shall expire on a date consistent with the expiration dates
38 of licenses as set forth in ORS 807.130.

39 “(9) Identification cards shall be renewed under the terms for renewal of licenses as set forth
40 in ORS 807.150.

41 “(10) The fee for an original identification card or a renewal thereof shall be the fee established
42 under ORS 807.410.

43 “(11) An identification card becomes invalid if the holder of the card changes the holder’s resi-
44 dence address from that shown on the identification card and does not provide the department with
45 notice of the change as required under ORS 807.420.

1 “(12) If a person to whom an identification card was issued and who changes the person’s resi-
2 dence address [*appears in person at a department office that issues identification cards,*] **submits an**
3 **application for a replacement identification card**, the department may [*do any of the following:*]

4 “[*a*] issue a replacement identification card containing the new address upon receipt of the old
5 identification card and payment of the fee established [*for issuing a replacement identification card*
6 *with a changed address*] under ORS 807.410. Except as otherwise provided in subsection (14) of this
7 section, the replacement identification card shall bear the same distinguishing number as the card
8 being replaced.

9 “[*b*] Note the new address on the old identification card in a manner to be determined by the de-
10 partment by rule.]

11 “(13) An identification card becomes invalid if the holder of the card changes the holder’s name
12 from that shown on the card, including a change of name by marriage, without providing the de-
13 partment with notice of the change as required under ORS 807.420. Upon receiving such notice and
14 the old identification card, the department shall issue a replacement identification card upon pay-
15 ment of the fee [*required*] **established** under ORS 807.410.

16 “(14) In the event that, for a reason identified by the department by rule, a person needs a re-
17 placement identification card that bears a distinguishing number different from the number on the
18 card being replaced, the person to whom the card was issued may obtain a replacement card from
19 the department upon furnishing proof satisfactory to the department of the need for such replace-
20 ment and payment of the [*replacement*] fee **established** under ORS 807.410.

21 “(15) If a person furnishes proof that the person is a veteran, as defined in ORS 408.225, and the
22 person’s identification card does not include the fact that the person is a veteran, the department
23 shall issue a replacement identification card that includes the fact that the person is a veteran.

24 “(16) The department may establish by rule reasons for issuing replacement identification cards
25 that are in addition to the reasons identified in subsections (12) to (15) of this section. The fee for
26 a replacement identification card is provided under ORS 807.410.

27 “(17) Upon cancellation of an identification card, the card is terminated and must be surren-
28 dered to the department. An identification card may be canceled for any of the reasons that driving
29 privileges or a driver license may be canceled under ORS 809.310. The department may reissue an
30 identification card canceled under this subsection when the applicant has satisfied all requirements
31 for the identification card.

32 “(18) Notwithstanding any other provision of this section, the department may issue an identifi-
33 cation card to a person under this subsection without charge when the person surrenders the
34 person’s driver license or driver permit to the department for reasons described in this subsection.
35 If the department issues an identification card under this subsection, the identification card shall
36 expire at the same time as the surrendered driver license or driver permit would have expired. An
37 identification card issued under this subsection is subject to the same requirements and fees for
38 renewal or upon expiration as any other identification card issued under this section. The depart-
39 ment may issue identification cards under this subsection for any of the following reasons:

40 “(a) The person voluntarily surrenders the person’s driver license or driver permit to the de-
41 partment based upon the person’s recognition that the person is no longer competent to drive.

42 “(b) The person’s driving privileges are suspended under ORS 809.419 (1). This paragraph only
43 applies if the person voluntarily surrenders the person’s driver license or driver permit to the de-
44 partment as provided under ORS 809.500.

45 “(19) If a person is applying for an identification card that is a Real ID, the person must comply

1 with the requirements under the vehicle code for issuance of Real IDs.

2
3 **“CANCELLATION NOTICES**

4
5 **“SECTION 28.** ORS 809.090 is amended to read:

6 “809.090. (1) The Department of Transportation may cancel the registration or title or both of
7 a vehicle if the department determines that:

8 “(a) A holder is not entitled [*thereto*] **to the registration or title or both;** or

9 “(b) All fees applicable to a vehicle, payable to the department under any provision of law have
10 not been paid.

11 “(2) Before cancellation under this section, the department must give opportunity for a hearing
12 upon 10 days’ notice. [*The notice shall be served in person or by first class mail.*] **The department**
13 **shall serve notice in a manner determined by the department by rule.**

14
15 **“VEHICLE TRIP PERMITS**

16
17 **“SECTION 29.** ORS 803.600 is amended to read:

18 “803.600. A trip permit grants authority to temporarily operate a vehicle on the highways of this
19 state under circumstances where the operation would not otherwise be legal because the vehicle is
20 not registered by this state or because provisions relating to the vehicle’s registration do not allow
21 the operation. The Department of Transportation shall provide for the issuance of trip permits in a
22 manner consistent with this section. All of the following apply to permits issued under this section:

23 “(1) The department shall issue the following types of trip permits to authorize the described
24 type of operation and, except as provided in subsection (2) of this section, may not issue trip permits
25 for any other purpose:

26 “(a) A heavy motor vehicle trip permit may be issued for [*a*] **the following vehicles that are**
27 **not registered in this state:**

28 “(A) Motor [*vehicle*] **vehicles** with a combined weight or loaded weight of more than [*8,000*]
29 **10,000** pounds;

30 “(B) **Truck tractors that are more than 8,000 pounds;** or [*that is a*]

31 “(C) Fixed load motor [*vehicle, and that is not registered in this state*] **vehicles.**

32 “(b) A permit described in [*this*] paragraph (a) **of this subsection** is valid for 10 consecutive
33 days.

34 “[*b*] (c) A heavy trailer trip permit may be issued for a trailer that will be operated on the
35 highways at a loaded weight of more than 8,000 pounds or that is a fixed load vehicle, and that is
36 not registered to allow operation of the vehicle in this state. A permit described in this paragraph
37 is valid for 10 consecutive days. This paragraph does not apply to travel trailers.

38 “[*c*] (d) A light vehicle trip permit may be issued for a vehicle with a combined weight or
39 loaded weight of less than [*8,001*] **10,001** pounds that is not a fixed load vehicle and that is not
40 registered to allow operation of the vehicle in this state. Permits described in this paragraph may
41 be issued for a period of 21 consecutive days. The department may not issue more than two permits
42 under this paragraph in a 12-month period for any one vehicle unless all registered owners of the
43 vehicle are replaced by new owners. If there is a complete change in ownership of the vehicle, as
44 shown by the registration records for the vehicle, a new owner may receive permits for the vehicle
45 under this paragraph as if no permits had been issued for the vehicle. This paragraph does not apply

1 to campers, travel trailers or motor homes, which are eligible for recreational vehicle trip permits
2 under paragraph [(d)] (e) of this subsection.

3 “[d)] (e) A recreational vehicle trip permit may be issued for a period of up to 10 consecutive
4 days for a camper, travel trailer or motor home that is not registered for operation in this state.
5 A person buying a recreational vehicle trip permit must show proof satisfactory to the department
6 [of Transportation] that the person is the owner of the camper, travel trailer or motor home for
7 which the permit will be granted. A person may not receive recreational vehicle trip permits au-
8 thorizing more than 10 days of operation in any 12-month period. [A person who applies for a recre-
9 ational vehicle trip permit must certify that the person has not been granted permits that together, and
10 including the permit applied for, exceed the maximum number of days of operation allowed by this
11 paragraph.] **The department may determine by rule the method for ensuring a person has not**
12 **exceeded the maximum number of days of operation allowed by the permit.**

13 “[e)] (f) A registration weight trip permit may be issued for a vehicle that is registered in this
14 state, to allow the vehicle to be operated with a greater combined weight or loaded weight than is
15 permitted by the registration weight established for the vehicle or at a greater combined weight or
16 loaded weight than is otherwise permitted under the registration for the vehicle if the vehicle is not
17 required to establish a registration weight. A permit issued under this paragraph does not authorize
18 movements or operations for which a variance permit is required under ORS 818.200. A permit is-
19 sued under this paragraph shall show the maximum registration weight allowed for operation under
20 the permit. A permit issued under this paragraph is valid for 10 consecutive days.

21 “[f)] (g) A registered vehicle trip permit may be issued for a vehicle that is registered in this
22 state to allow the vehicle to operate under conditions or in ways not permitted by the terms of the
23 vehicle registration. The department shall determine by rule the kinds of operation for which per-
24 mits may be issued under this paragraph. A permit issued under this paragraph is valid for 10 con-
25 secutive days.

26 “(2) The department shall allow a person issued a vehicle dealer certificate under ORS 822.020
27 or a towing business certificate under ORS 822.205 to issue a 10-day trip permit to a person who
28 buys a motor vehicle from the person with the certificate if the registration stickers are removed
29 in accordance with ORS 803.565. The following apply to trip permits issued under this subsection:

30 “(a) A permit issued under this subsection allows operation of the motor vehicle in this state for
31 the purpose of registering the vehicle.

32 “(b) A permit issued under this subsection is valid for a period of 10 consecutive days.

33 “(c) A person with a vehicle dealer certificate or a towing business certificate may not issue
34 more than two permits under this subsection for the same motor vehicle.

35 “(3) The following requirements for records are established concerning permits issued under this
36 section:

37 “(a) Any carrier regulated by the department shall maintain records of heavy motor vehicle and
38 heavy trailer trip permits and registration weight trip permits issued to the carrier as required by
39 the department by rule.

40 “(b) Requirements for the department to maintain records concerning trip permits are estab-
41 lished under ORS 802.200.

42 “(4) An owner or operator of a vehicle may obtain a trip permit. The fees for issuance of trip
43 permits are as provided under ORS 803.645.

44 “(5) The department shall make the trip permits available to all field offices and agents main-
45 tained by the department and may make arrangements for the issuance of the permits by designated

1 individuals, firms or associations for the convenience of the motoring public. This subsection does
2 not require the department to make trip permits described in subsection (2) of this section available
3 to anyone other than persons with vehicle dealer certificates or towing business certificates.

4 “(6) The department may also sell heavy motor vehicle, heavy trailer and registration weight
5 trip permits in advance of issuance to contractors, transportation companies and other users for is-
6 suance to their own vehicles or vehicles under their control.

7 “(7) The department shall adopt rules for the issuance, sale and control of trip permits.

8 “(8) Trip permits are not required for the operation of unregistered vehicles where such opera-
9 tion is permitted as follows:

10 “(a) By vehicle dealers as permitted under ORS 822.040.

11 “(b) By vehicle transporters as permitted under ORS 822.310.

12 “(c) By towing businesses as permitted under ORS 822.210.

13 “(9) Trip permits are not required for the operation of unregistered vehicles where such opera-
14 tion is permitted under ORS 803.305.

15 “(10) Unregistered vehicles that are operated without a trip permit are subject to the prohibi-
16 tions and penalties for operation of unregistered vehicles under ORS 803.300 or 803.315, as appro-
17 priate.

18 “(11) A trip permit may be issued to a school vehicle registered under ORS 805.050 for use of
19 the vehicle for purposes not permitted under ORS 805.050.

20 “**SECTION 30.** ORS 803.602 is amended to read:

21 “803.602. An applicant for a light vehicle trip permit, a recreational vehicle trip permit for a
22 motor vehicle or a trip permit issued under ORS 803.600 (2) must submit, at the time of application,
23 [a statement] **proof** indicating that the vehicle that will be operated under the permit is covered by
24 an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered by
25 the policy for as long as the permit is valid. The [statement shall] **proof must** include the name of
26 the insurer and the policy number. The Department of Transportation or, if the permit is issued
27 under ORS 803.600 (2), the person with the vehicle dealer certificate or towing business certificate
28 shall refuse to issue a permit to a person who does not [submit the statement] **present the proof**
29 required by this section.

30 31 “REGISTRATION

32
33 “**SECTION 31.** ORS 803.360 is amended to read:

34 “803.360. (1) [No person may] **A person may not** register or renew the registration of a vehicle
35 in this state unless the person is domiciled in this state, as described in ORS 803.355. This section
36 does not apply to persons required by ORS 803.200 or any other provision of law, to register vehicles
37 in this state.

38 “(2) Notwithstanding subsection (1) of this section, a person who is not domiciled in this state
39 may register or renew the registration of a vehicle that:

40 “(a) Is usually left within the state when the registered owner is absent from the state;

41 “(b) Is used primarily for personal transportation within the state;

42 “(c) Is a private passenger vehicle or a vehicle with a loaded weight of [less] **no more** than
43 10,000 pounds; and

44 “(d) Is not a motor home or a camper.

45 “**SECTION 32.** ORS 803.565 is amended to read:

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

5 “(a) Has a gross vehicle weight rating of [8,000] **10,000** pounds or less;

6 “(b) Is designed to carry passengers; and

7 “(c) Is not a motorcycle, moped or snowmobile.

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

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

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

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

18
19 **“REAL ID**

20
21 **“SECTION 33.** ORS 807.130, as amended by section 20, chapter 568, Oregon Laws 2017, is
22 amended to read:

23 “807.130. (1) A license that is issued as an original license and not as a license that is renewed
24 expires on the anniversary of the licensee’s birthday in the eighth calendar year after the year of
25 issuance.

26 “(2) A license that is renewed under ORS 807.150 expires eight years from the specified expira-
27 tion date of the immediately preceding license.

28 “(3) Notwithstanding subsections (1) and (2) of this section, a license that is issued to a person
29 who is not a citizen or permanent legal resident of the United States expires on the date the
30 licensee is no longer authorized to stay in the United States, as indicated by the documentation the
31 person presented to the Department of Transportation to provide proof of legal presence in the
32 United States as required by ORS 807.021 and 807.730 or proof of lawful status in the United States
33 as required by ORS 807.455, but no longer than eight years from the date of issuance or, if there is
34 no definite end to the authorized stay, after a period of one year.

35 “(4) Subsection (3) of this section does not apply to a person who is a citizen of a country with
36 a Compact of Free Association with the United States and who provides proof of legal presence in
37 the United States as defined by the department by rule.

38 “[5] *Notwithstanding subsection (4) of this section, a Real ID issued to a person who is a citizen*
39 *of a country with a Compact of Free Association with the United States expires on the date the licensee*
40 *is no longer authorized to stay in the United States, as indicated by the documentation the person*
41 *presented to the department or, if there is no definite end to the authorized stay, after a period of one*
42 *year.*]

43 “[6] (5) A license that has expired does not grant driving privileges and is not valid evidence
44 of driving privileges.

45 **“SECTION 34.** ORS 807.480 is amended to read:

1 “807.480. (1) The Department of Transportation shall verify an applicant’s Social Security num-
2 ber before issuing an original or renewal Real ID.

3 “(2) The department shall verify the applicant’s lawful status in the United States before issuing
4 an original Real ID.

5 “(3) The department shall verify the lawful status in the United States of an applicant who is
6 not a citizen of the United States when the applicant is applying to renew a Real ID.

7 “(4) Notwithstanding the requirements of subsections (2) and (3) of this section, the department
8 may verify the lawful status in the United States of any applicant applying for renewal or replace-
9 ment of a Real ID, as determined by the department by rule.

10 “(5) **The department shall determine, by rule, expiration dates for a Real ID issued to a**
11 **person who is not a citizen or permanent legal resident of the United States. To the extent**
12 **possible, rules adopted by the department under this section must be uniform with any ap-**
13 **licable federal regulations related to Real ID.**

14
15 **“SURCHARGE FOR TRANSACTIONS**

16
17 **“SECTION 35.** ORS 802.112 is amended to read:

18 “802.112. The Department of Transportation may impose a surcharge on any fee the department
19 is authorized to collect if the fee is imposed for a transaction that can be accomplished by a cus-
20 tomer of the department in more than one way and the customer chooses the more expensive way.
21 A surcharge imposed under this section may **be added to the amount tendered by the customer**
22 **to offset fees charged to the department for acceptance and use of a credit card** *[not exceed*
23 *the lesser of the additional cost to the department, rounded to the nearest dollar, or \$10]. [No]* A sur-
24 charge may **not** be imposed under this section until the department adopts rules specifying trans-
25 actions for which the surcharge will be imposed.

26
27 **“REPEAL**

28
29 **“SECTION 36.** ORS 806.160 is repealed.

30
31 **“OPERATIVE DATES**

32
33 **“SECTION 37.** (1) **The amendments to ORS 802.010, 802.112, 802.200, 802.210, 803.360,**
34 **803.565, 803.460, 803.600, 803.602, 806.050, 806.180, 806.240, 806.300, 807.160, 807.400, 807.560,**
35 **809.430, 811.180, 811.725, 811.735, 813.410 and 826.031 by sections 2, 3, 5, 7 to 9, 13 to 17, 19, 21,**
36 **22, 24 to 27, 29 to 32 and 35 of this 2019 Act and the repeal of ORS 806.160 by section 36 of**
37 **this 2019 Act become operative on January 1, 2020.**

38 **“(2) The amendments to ORS 806.150, 806.220, 806.245, 807.130, 807.140, 807.480, 809.090,**
39 **809.380, 809.415, 809.416 and 809.450 by sections 1, 4, 6, 10 to 12, 20, 23, 28, 33 and 34 of this**
40 **2019 Act become operative on July 1, 2020.**

41
42 **“CAPTIONS**

43
44 **“SECTION 38.** **The unit captions used in this 2019 Act are provided only for the conven-**
45 **ience of the reader and do not become part of the statutory law of this state or express any**

1 legislative intent in the enactment of this 2019 Act.

2

3

“EMERGENCY CLAUSE

4

5 **“SECTION 39. This 2019 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
7 **on its passage.”.**

8
