

Requested by Representative WITT

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2566**

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the  
2 line and delete lines 3 and 4 and insert “801.040, 801.041, 801.042, 803.030,  
3 803.305, 803.505, 803.565, 805.250, 830.005, 830.140 and 830.990.”.

4 Delete lines 6 through 31 and delete pages 2 through 13 and insert:  
5

6 **“ALL-TERRAIN VEHICLE REGISTRATION AND TITLING**  
7

8 **“SECTION 1.** ORS 803.305 is amended to read:

9 “803.305. [*This section establishes exemptions from the requirements under*  
10 *ORS 803.300. The exemptions under this section are in addition to any ex-*  
11 *emptions under ORS 801.026. Vehicles exempted by this section from the re-*  
12 *quirements to be registered by this state are not prohibited from being*  
13 *registered by this state if registration is permitted under ORS 803.310.] **In***  
14 **addition to the exemptions under ORS 801.026**, the following are exempt,  
15 either partially or completely as described, from the registration require-  
16 ments under ORS 803.300:

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

19 “(2) Bicycles are exempt from registration.

20 “(3) A vehicle is exempt from registration if it has registration issued for  
21 the vehicle by the Armed Forces of the United States where the registration

1 is issued in a foreign country to a vehicle owned by a member of the Armed  
2 Forces. The exemption granted by this subsection applies only for a period  
3 of 45 days from the time the vehicle is returned to the United States.

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

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

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

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

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

17 “(9) Road graders, farm tractors and farm trailers on highways are exempt  
18 from registration when the operation of the vehicle upon the highway is in-  
19 cidental to its use in an agricultural operation.

20 “(10) Except as provided in subsection (26) of this section, fixed load ve-  
21 hicles are exempt from registration while the vehicles are operated:

22 “(a) In the construction or reconstruction of state or county roads, high-  
23 ways or city streets; and

24 “(b) Within the immediate construction projects, as described in the gov-  
25 ernmental agency contract under which the work is being performed.

26 “(11) Motor vehicles designed to operate at a loaded weight over 8,000  
27 pounds, trailers and equipment are exempt from registration while being used  
28 for the purposes of forest protection and fire suppression under ORS chapter  
29 477 or a similar federal statute. The exemption under this subsection applies  
30 to the vehicles or equipment described while being moved to or from the

1 work area. The exemption under this subsection only applies to vehicles or  
2 equipment owned, leased, contracted for or requisitioned by the State  
3 Forester or State Board of Forestry, a contractor of the State Forester or  
4 State Board of Forestry under ORS chapter 477 or the United States Gov-  
5 ernment.

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

11 “(13) Golf cart exemptions from registration are as provided in ORS  
12 820.210.

13 “(14) Vehicles currently registered and titled in any other country, state  
14 or territory are not required to be registered by this state. All of the fol-  
15 lowing apply to this subsection:

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

21 “(b) The exemption under this subsection applies to vehicles granted ex-  
22 emptions under ORS 802.500, 802.520 or 826.005 unless otherwise provided for  
23 under paragraph (c) of this subsection.

24 “(c) Except as otherwise provided in this paragraph, a vehicle operated  
25 over the highways of this state for compensation or profit must comply with  
26 the registration requirements under ORS 803.300 in the same manner as ve-  
27 hicles owned by persons in this state. The following vehicles are not subject  
28 to this paragraph:

29 “(A) Vehicles operated under reciprocal registration exemptions estab-  
30 lished under ORS 802.500 or 826.005.

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

2 “(C) Vehicles that are proportionally registered under an agreement es-  
3 tablished under ORS 826.007 and according to the procedures established  
4 under ORS 826.009 and 826.011.

5 “(D) Any vehicle if duly registered and titled under the laws of the state  
6 or country of which the owner is a bona fide resident to the extent that in  
7 the foreign country, state, territory or federal district where the owner re-  
8 sides like exemptions and privileges are granted vehicles duly registered and  
9 titled under the laws of this state and owned by residents of this state.

10 “(d) If no exemption from registration requirements is in effect under ORS  
11 802.500, 802.520, 826.005 or 826.007 with respect to another jurisdiction, any  
12 vehicle properly registered and titled in such other jurisdiction and for  
13 which evidence of compliance is supplied shall receive, when operated in this  
14 state, the same exemptions, benefits and privileges granted by such other  
15 jurisdictions to vehicles properly registered and titled in this state.  
16 Reciprocity extended under this paragraph shall apply to commercial vehi-  
17 cles only when engaged exclusively in interstate commerce.

18 “(e) Any vehicle operated under dealer registration plates issued by an-  
19 other state, country, province, territory or the District of Columbia is subject  
20 to this subsection.

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

23 “(16) Vehicles towed by towing businesses may be towed without regis-  
24 tration as provided under ORS 822.210.

25 “(17) Vehicles without registration may be transported by vehicle trans-  
26 porters as provided under ORS 822.310.

27 “(18) Vehicles that are not registered may be operated under trip permits  
28 described under ORS 803.600 or under permits described under ORS 803.610  
29 to 803.625.

30 “(19) If trailers that are part of a fleet of trailers for hire are properly

1 registered in this state under an agreement entered into pursuant to ORS  
2 802.500, all trailers that are identified as being a part of the same fleet and  
3 that are currently registered in any state, territory, province, country or the  
4 District of Columbia shall be permitted to operate in this state in both  
5 interstate and intrastate commerce without being registered by this state.

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

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

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

12 “**(22) Class I, Class III and Class IV all-terrain vehicles are subject**  
13 **to the requirements for registration provided under sections 5 and 6**  
14 **of this 2019 Act.**

15 “(23) Motor assisted scooters are exempt from registration.

16 “(24) Electric personal assistive mobility devices are exempt from regis-  
17 tration.

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

21 “(26) Road machinery that is operated at the direction of a road authority  
22 is exempt from registration. The exemption under this subsection also applies  
23 when the operation of road machinery upon a highway or an alley is inci-  
24 dental to its use in a highway maintenance operation.

25 “**SECTION 2.** ORS 803.030 is amended to read:

26 “803.030. This section establishes exemptions from the requirements under  
27 ORS 803.025 to obtain title issued by this state. The exemptions are subject  
28 to ORS 803.040. The exemptions are in addition to any exemptions under ORS  
29 801.026. Vehicles exempted by this section from the requirements to be titled  
30 by this state are not prohibited from being titled by this state if titling is

1 permitted under ORS 803.035. The exemptions are partial or complete as  
2 provided in the following:

3 “(1) Title from this state is not required for a vehicle unless the vehicle  
4 is operated on a highway in this state.

5 “(2) Title from this state is not required unless a vehicle is operated under  
6 a registration number of this state.

7 “(3) Snowmobiles and Class I, Class III and Class IV all-terrain vehicles  
8 are not subject to the requirements under ORS 803.025. The requirements and  
9 procedures for titling snowmobiles are as provided under ORS 821.060 and  
10 821.070. **The requirements and procedures for titling Class I, Class III  
11 and Class IV all-terrain vehicles are as provided under sections 8 and  
12 9 of this 2019 Act.**

13 “(4) Road rollers, farm tractors and traction engines are exempt from the  
14 requirements for title.

15 “(5) Trolleys are exempt from the requirements for title.

16 “(6) Bicycles are exempt from the requirements for title.

17 “(7) United States Government owned and operated motor vehicles and  
18 trailers are exempt from the requirements for title.

19 “(8) Implements of husbandry, well drilling machinery, emergency fire  
20 apparatus providing public fire protection and wheelchairs are exempt from  
21 the requirements for title.

22 “(9) Except as provided in subsection (23) of this section, fixed load ve-  
23 hicles are exempt from the requirements for title while operated within the  
24 immediate construction project, as described in the governmental agency  
25 contract, in the construction or reconstruction of state or county roads,  
26 highways or city streets.

27 “(10) Motor vehicles designed to operate at a loaded weight over 8,000  
28 pounds, trailers and equipment are exempt from requirements for title while:

29 “(a) Owned, leased, contracted or requisitioned by the State Forester,  
30 State Board of Forestry, their contractors under ORS chapter 477, or the

1 federal government; and

2 “(b) Being used for the purposes of forest protection and fire suppression  
3 under ORS chapter 477 or a similar federal statute, including movement of  
4 the vehicles to and from the work area.

5 “(11) Farm trailers are exempt from requirements for title when the op-  
6 eration or movement of the vehicle upon the highways is incidental to its  
7 use in an agricultural operation.

8 “(12) Golf carts operated under an ordinance adopted under ORS 810.070  
9 are exempt from requirements for title.

10 “(13) Golf carts or similar vehicles are exempt from requirements for title  
11 when:

12 “(a) They have not less than three wheels in contact with the ground;

13 “(b) They have an unloaded weight of less than 1,300 pounds;

14 “(c) They are designed to be and are operated at not more than 15 miles  
15 per hour; and

16 “(d) They are operated by persons with disabilities.

17 “(14) The nonresident owners of vehicles currently registered and titled  
18 in any other country, state or territory may operate such vehicles over the  
19 highways of this state without complying with the titling requirements under  
20 ORS 803.025. All of the following apply to this subsection:

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

26 “(b) The exemption under this subsection applies to vehicles granted ex-  
27 emptions under ORS 802.500, 802.520 or 826.005, unless otherwise provided  
28 under paragraph (c) of this subsection.

29 “(c) Except as otherwise provided in this paragraph, a vehicle operated  
30 over the highways of this state for compensation or profit must comply with

1 the titling requirements under ORS 803.025 in the same manner as required  
2 of nontitled vehicles. The following vehicles are not subject to this para-  
3 graph:

4 “(A) Vehicles operated under reciprocal registration exemptions estab-  
5 lished under ORS 802.500 or 826.005.

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

7 “(C) Vehicles that are proportionally registered under an agreement es-  
8 tablished under ORS 826.007, and according to the procedures established  
9 under ORS 826.009 or 826.011.

10 “(D) Any vehicle if duly registered and titled under the laws of the state  
11 or country of which the owner is a bona fide resident to the extent that in  
12 the foreign country, state, territory or federal district where the owner re-  
13 sides like exemptions and privileges are granted vehicles duly registered and  
14 titled under the laws of this state and owned by residents of this state.

15 “(d) If no exemptions from titling requirements are in effect under ORS  
16 802.500, 802.520, 826.005 or 826.007 with respect to another jurisdiction, any  
17 vehicle properly registered and titled in such other jurisdiction and for  
18 which evidence of compliance is supplied shall receive, when operated in this  
19 state, the same exemptions, benefits and privileges granted by such other  
20 jurisdictions to vehicles properly registered and titled in this state.  
21 Reciprocity extended under this paragraph shall apply to commercial vehi-  
22 cles only when engaged exclusively in interstate commerce.

23 “(e) Any vehicle operated under dealer registration plates issued by an-  
24 other state, country, province, territory or the District of Columbia is subject  
25 to this subsection.

26 “(15) Vehicle dealers issued certificates under ORS 822.020 may use and  
27 operate untitled vehicles as provided under ORS 822.040.

28 “(16) Towing businesses issued certificates under ORS 822.205 may tow  
29 untitled vehicles as provided under ORS 822.210.

30 “(17) Vehicle transporters issued certificates under ORS 822.310 may



1 transport untitled vehicles as provided in ORS 822.310.

2 “(18) Untitled vehicles may be operated under trip permits described un-  
3 der ORS 803.600 or under permits described under ORS 803.610 to 803.625.

4 “(19) Vehicles that are registered by the United States Department of  
5 State and that are owned or operated by foreign nationals with diplomatic  
6 immunity are exempt from the requirements for title.

7 “(20)(a) Vehicles that are registered under the proportional registration  
8 provisions of ORS chapter 826 and are titled in a jurisdiction other than  
9 Oregon are exempt from the requirements for title.

10 “(b) A trailer that is registered under the proportional registration pro-  
11 visions of ORS chapter 826 and titled in a jurisdiction other than Oregon  
12 shall remain exempt from the requirements for title in Oregon if the trailer  
13 is registered when the other jurisdiction removes its exception to propor-  
14 tional registration requirements for the trailer.

15 “(21) Converter dollies and tow dollies are exempt from the requirements  
16 for title.

17 “(22) Electric personal assistive mobility devices are exempt from the re-  
18 quirements for title.

19 “(23) Road machinery that is operated at the direction of a road authority  
20 is exempt from the requirements for title. The exemption under this sub-  
21 section also applies when the operation of road machinery upon a highway  
22 or an alley is incidental to its use in a highway maintenance operation.

23 “(24) Special mobile equipment is exempt from the requirements for title.

24 “**SECTION 3.** ORS 830.005 is amended to read:

25 “830.005. As used in this chapter, unless the context requires otherwise:

26 “(1) ‘Board’ means the State Marine Board.

27 “(2) ‘Boat’ means every description of watercraft, including a seaplane on  
28 the water and not in flight, used or capable of being used as a means of  
29 transportation on the water, but does not include boathouses, floating homes,  
30 air mattresses, beach and water toys or single inner tubes.

1 “(3) ‘Boating offense’ means violation of any provision of law that is made  
2 a crime or violation under the provisions of this chapter.

3 “(4) ‘Class I all-terrain vehicle’ has the meaning given that term in  
4 **ORS 801.190.**

5 “(5) ‘Class III all-terrain vehicle’ has the meaning given that term  
6 **in ORS 801.194 (1).**

7 “(6) ‘Class IV all-terrain vehicle’ has the meaning given that term  
8 **in ORS 801.194 (2).**

9 “[4] (7) ‘In flight’ means from the moment a seaplane starts its takeoff  
10 run until the end of a normal power-off landing run.

11 “[5] (8) ‘Length’ means the length of a boat measured from end to end  
12 over the deck excluding sheer.

13 “[6] (9) ‘Motorboat’ means any boat propelled in whole or in part by  
14 machinery, including boats temporarily equipped with detachable motors.

15 “[7] (10) ‘Navigable waters of the United States’ means those waters of  
16 the United States, including the territorial seas adjacent thereto, the general  
17 character of which is navigable, and that, either by themselves or by uniting  
18 with other waters, form a continuous waterway on which boats or vessels  
19 may navigate or travel between two or more states, or to and from foreign  
20 nations.

21 “[8] (11) ‘Operate’ means to navigate or otherwise use a boat.

22 “[9] (12) ‘Operator of a boat livery’ means any person who is engaged  
23 wholly or in part in the business of chartering or renting boats to other  
24 persons.

25 “[10] (13) ‘Passenger’ means every person on board a boat who is not the  
26 master, operator, crew member or other person engaged in any capacity in  
27 the business of the boat.

28 “[11] (14) ‘Peace officer’ includes a member of the Oregon State Police,  
29 a sheriff or deputy sheriff, a city police officer, an authorized tribal police  
30 officer as defined in ORS 181A.680, and a police officer commissioned by a

1 university under ORS 352.121 or 353.125.

2 “[~~(12)~~] (15) ‘State waters’ means those waters entirely within the confines  
3 of this state that have not been declared navigable waters of the United  
4 States.

5 “[~~(13)~~] (16) ‘Waters of this state’ means all waters within the territorial  
6 limits of this state, the marginal sea adjacent to this state and the high seas  
7 when navigated as part of a journey or ride to or from the shore of this state.

8 **“SECTION 4. Sections 5 to 9 of this 2019 Act are added to and made  
9 a part of ORS chapter 830.**

10 **“SECTION 5. Issuance of registration. (1) As used in this section,  
11 ‘all-terrain vehicle’ means a Class I, Class III or Class IV all-terrain  
12 vehicle.**

13 **“(2) The State Marine Board shall issue all-terrain vehicle regis-  
14 tration to a qualified owner of an all-terrain vehicle. To qualify for  
15 issuance of registration under this section:**

16 **“(a) The owner shall complete an application in the manner and in  
17 a form the board prescribes;**

18 **“(b) The application must state the name and address of each owner  
19 of the all-terrain vehicle to be registered;**

20 **“(c) The application must contain proof of title; and**

21 **“(d) The owner shall pay the registration fee established by the  
22 board by rule.**

23 **“(3) Dealers issued certificates under ORS 822.020 who sell all-  
24 terrain vehicles shall accept an application and fee for registration of  
25 an all-terrain vehicle from each purchaser of an all-terrain vehicle  
26 that is required to be registered in this state. The board shall adopt  
27 rules for the implementation of this subsection.**

28 **“(4) The board may not issue registration for an all-terrain vehicle  
29 unless the all-terrain vehicle has been issued a title in compliance with  
30 sections 8 and 9 of this 2019 Act.**

1       “(5) All-terrain vehicle registration, and each subsequent renewal  
2 thereof, is valid for a period of two years, after which time the regis-  
3 tration expires.

4       “(6) If an owner meets the qualifications for issuance of registration  
5 under this section, the board shall:

6       “(a) Register the all-terrain vehicle.

7       “(b) Assign a registration number to the all-terrain vehicle. The  
8 registration number assigned at the time of registration shall remain  
9 with the vehicle until the vehicle is destroyed, abandoned or perma-  
10 nently removed from this state, or until the registration number is  
11 changed or terminated by the board.

12       “(c) Issue and deliver to the registered owner a certificate of regis-  
13 tration in a form to be determined by the board.

14       “(d) At the time of registration and at the time of each subsequent  
15 renewal thereof, issue to the owner a date tag or tags indicating the  
16 validity of the current registration and the expiration date thereof.

17       “(7) An all-terrain vehicle registration is not valid unless a vali-  
18 dating tag and current registration certificate have been issued.

19       “(8) The board shall provide procedures necessary for the renewal  
20 of all-terrain vehicle registrations consistent with this section.

21       “(9) The board may adopt rules specifying additional requirements  
22 and procedures for registration of all-terrain vehicles.

23       “(10) The board may charge a qualified owner a fee in an amount  
24 adequate to cover the administrative costs of carrying out the pro-  
25 visions of this section.

26       “(11) The board shall deposit fees collected under this section into  
27 the All-Terrain Vehicle Registration and Title Account established  
28 under section 13 of this 2019 Act.

29       “SECTION 6. Registration requirement; exemptions. (1) As used in  
30 this section, ‘all-terrain vehicle’ means a Class I, Class III or Class IV

1 all-terrain vehicle.

2 “(2) Except as provided in subsection (3) of this section, a person  
3 may not operate an all-terrain vehicle that is not registered under  
4 section 5 of this 2019 Act.

5 “(3) The requirement to register an all-terrain vehicle under sub-  
6 section (2) of this section does not apply if the all-terrain vehicle is:

7 “(a) Owned and operated by the United States, another state or a  
8 political subdivision thereof.

9 “(b) Owned and operated by this state or by any city, district or  
10 political subdivision thereof.

11 “(c) Owned by a resident of another state if registered in accordance  
12 with the laws of the state in which the owner resides. The exemption  
13 granted under this paragraph:

14 “(A) Is only granted to the extent that a similar exemption or  
15 privilege is granted under the laws of the other state for all-terrain  
16 vehicles registered in this state.

17 “(B) Is only granted for a period of up to 60 consecutive days.

18 “(d) Operated under dealer plates as described in ORS 822.040.

19 “(e) Used exclusively in farming, agricultural or forestry operations  
20 or used by persons licensed under ORS chapter 571 exclusively for  
21 nursery or Christmas tree growing operations.

22 “SECTION 7. Failure to properly display all-terrain vehicle regis-  
23 tration numbers; penalty. A person who registers a Class I, Class III  
24 or Class IV all-terrain vehicle with the State Marine Board shall en-  
25 sure:

26 “(1) The registration numbers are permanently affixed to the all-  
27 terrain vehicle.

28 “(2) The registration numbers are displayed on the all-terrain vehi-  
29 cle in a clearly visible manner and in a manner prescribed by the  
30 board.

1       **“(3) The registration numbers displayed shall be in the form of**  
2 **painted numbers or decals and shall be of contrasting color with the**  
3 **surface on which they are applied.**

4       **“(4) The registration numbers are maintained in a legible condition.**

5       **“(5) Any validating date tag or tags issued by the board under sec-**  
6 **tion 5 of this 2019 Act are affixed in the manner prescribed by the**  
7 **board.**

8       **“SECTION 8. Issuance of title; rules. (1) As used in this section,**  
9 **‘all-terrain vehicle’ means a Class I, Class III or Class IV all-terrain**  
10 **vehicle.**

11       **“(2) The State Marine Board shall provide for the issuance of titles**  
12 **for all-terrain vehicles required to be titled under section 9 of this 2019**  
13 **Act. The following provisions relating to titling shall be the same for**  
14 **all-terrain vehicles as for boats:**

15       **“(a) Fee for issuance.**

16       **“(b) Provisions relating to transfer, including transfer of security**  
17 **interests and other types of transfer, fees for transfer, time limits for**  
18 **transfer and responsibility for making transfer and submitting docu-**  
19 **ments.**

20       **“(c) Information required to be placed on a title, except where the**  
21 **board determines such information would be inappropriate.**

22       **“(d) Party to whom title is issued upon original issuance or trans-**  
23 **fer.**

24       **“(e) Validity times and requirements.**

25       **“(f) Any provisions relating to titling that are applicable to other**  
26 **vehicles under the vehicle code and that the board determines, by rule,**  
27 **to be necessary to assure that the titling of all-terrain vehicles is ad-**  
28 **ministered in the same manner and has the same effect as the titling**  
29 **of boats.**

30       **“(g) Provisions relating to salvage titles.**



1 propelled boat is a Class D violation. Notwithstanding ORS 153.019, the  
2 presumptive fine for a violation of ORS 830.565 by a person operating a  
3 manually propelled boat is \$30.

4 “(b) Violation of ORS 830.565 by a person operating a motorboat is a  
5 Class D violation. Notwithstanding ORS 153.019, the presumptive fine for a  
6 violation of ORS 830.565 by a person operating a motorboat is \$50.

7 “(2) A person who violates ORS 830.050, 830.088, 830.090, 830.092, 830.094,  
8 830.230, 830.415, 830.710, 830.720, 830.770, 830.780, 830.810, 830.850 or 830.855  
9 **or section 6, 7 or 9 of this 2019 Act**, or rules adopted to carry out the  
10 purposes of those statutes, commits a Class D violation.

11 “(3) A person who violates ORS 830.220, 830.240, 830.245, 830.250, 830.375,  
12 830.475 (4), 830.480, 830.785, 830.805 or 830.825, or rules adopted to carry out  
13 the purposes of those statutes, commits a Class C violation.

14 “(4) A person who violates ORS 830.110, 830.175, 830.180, 830.185, 830.187,  
15 830.195, 830.210, 830.215, 830.225, 830.235, 830.260, 830.300, 830.315 (2) and (3),  
16 830.335, 830.340, 830.345, 830.350, 830.355, 830.360, 830.362, 830.365, 830.370,  
17 830.410, 830.420, 830.495, 830.560, 830.775, 830.795 or 830.830, or rules adopted  
18 to carry out the purposes of those statutes, commits a Class B violation.

19 “(5) A person who violates ORS 830.305 or 830.390, or rules adopted to  
20 carry out the purposes of those statutes, commits a Class A violation.

21 “(6) A person who violates ORS 830.383 commits a Class B misdemeanor.

22 “(7) A person who violates ORS 830.035 (2), 830.053, 830.315 (1), 830.325,  
23 830.475 (1), 830.730 or 830.955 (1) commits a Class A misdemeanor.

24 “(8) A person who violates ORS 830.475 (2) commits a Class C felony.

25 “(9) A person who violates ORS 830.944 commits a Class A violation.

26

27

## “ACCOUNT

28

29 **“SECTION 11.** ORS 830.140 is amended to read:

30 “830.140. (1) On or before the 10th day of each month, the State Marine



1 Board shall pay into the State Treasury, except as provided in ORS 830.948  
2 **and section 13 of this 2019 Act**, all moneys received by the board during  
3 the preceding calendar month. The State Treasurer shall credit the moneys  
4 to the Boating Safety, Law Enforcement and Facility Account, which ac-  
5 count hereby is created, separate and distinct from the General Fund. The  
6 moneys in the account hereby are continuously appropriated to the board for  
7 the purpose of paying the expense of administering and enforcing the pro-  
8 visions of this chapter. The board shall keep a record of all moneys received  
9 and expended.

10 “(2) After paying the necessary expenses incurred by the board in admin-  
11 istering this chapter, the funds available in the account shall be distributed,  
12 in the amounts required, for the purpose of enforcing the provisions of this  
13 chapter and the regulations adopted pursuant thereto. The board shall de-  
14 termine the amount required for enforcement in each county, considering the  
15 survey conducted under ORS 830.115. The funds available shall be appor-  
16 tioned according to the amounts required and distributed, for enforcement  
17 in each county where there is a need, under a contract entered into with a  
18 city, with the Department of State Police or with the sheriff of the county.  
19 A contract with a city or a sheriff shall be entered into only with the ap-  
20 proval of the governing body of the city or county. The board shall determine  
21 the intervals at which the moneys shall be distributed.

22 “(3) The governing body of any county having within its boundaries a city  
23 providing recreational boating facilities including launching ramps, may  
24 contract with the city for the purpose of enforcing the provisions of this  
25 chapter and the rules and regulations made pursuant thereto.

26 “(4) If the city enters into a contract with the board or with a county,  
27 the county is relieved of its enforcement responsibilities within the city as  
28 agreed to by the county and the city or by the board and the city.

29 **“SECTION 12. Section 13 of this 2019 Act is added to and made a**  
30 **part of ORS chapter 830.**

1       **“SECTION 13. The All-Terrain Vehicle Registration and Title Ac-**  
2 **count is established in the State Treasury, separate and distinct from**  
3 **the General Fund. Moneys in the account are continuously appropri-**  
4 **ated to the State Marine Board for the purpose of paying its expenses**  
5 **for administering the registration and titling of Class I, Class III and**  
6 **Class IV all-terrain vehicles under sections 5 and 8 of this 2019 Act**  
7 **from the fees collected under sections 5 and 8 of this 2019 Act.**

8  
9                                   **“CONFORMING AMENDMENTS**

10  
11       **“SECTION 14. ORS 801.040 is amended to read:**

12       “801.040. This section describes circumstances where special provisions  
13 are made concerning the authority of cities, counties or other political sub-  
14 divisions in relation to some portion of the vehicle code. This section is not  
15 the only section of the vehicle code that applies to such authority and  
16 [*shall*] **may** not be interpreted to affect the vehicle code except as specif-  
17 ically provided in this section. The following limits are partial or complete  
18 as described:

19       “(1) [*No*] **A** county, municipal or other local body with authority to adopt  
20 and administer local police regulations under the Constitution and laws of  
21 this state [*shall*] **may not** enact or enforce any rule or regulation in conflict  
22 with the provisions of the vehicle code described in this subsection except  
23 as specifically authorized in the vehicle code. This subsection applies to the  
24 provisions of the vehicle code relating to abandoned vehicles, vehicle equip-  
25 ment, regulation of vehicle size, weight and load, the manner of operation  
26 of vehicles and use of roads by persons, animals and vehicles.

27       “(2) Except as provided in ORS 822.230 and this subsection, [*no*] **a** city,  
28 county or other political [*subdivisions shall*] **subdivision may not** regulate  
29 or require or issue any registration, licenses, permits or surety bonds or  
30 charge any fee for the regulatory or surety registration of any person re-

1 quired to obtain a certificate from the Department of Transportation under  
2 ORS 822.205. This subsection does not:

3 “(a) Limit any authority of a city or county to license and collect a gen-  
4 eral and nondiscriminatory license fee levied upon all businesses or to levy  
5 a tax based upon business conducted by any person within the city or county.

6 “(b) Limit the authority of any city or county to impose any requirements  
7 or conditions as part of any contract to perform towing or recovering ser-  
8 vices for the city or county.

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

13 “(3) *[No]* **A** city, county or other political subdivision of this state, *[nor]*  
14 **or** any state agency, may **not** adopt a regulation or ordinance that imposes  
15 a special fee for the use of public lands or waters by snowmobiles or Class  
16 I all-terrain vehicles, or for the use of any access thereto that is owned by  
17 or under the jurisdiction of either the United States, this state or any such  
18 city, county or other political subdivision. The registration fees provided by  
19 ORS 821.320 **and section 5 of this 2019 Act** are in lieu of any personal  
20 property or excise tax imposed on snowmobiles **and all-terrain vehicles** by  
21 this state or any political subdivision. *[No]* **A** city, county or other  
22 municipality[, *and no*] **or** state agency *[shall]* **may not** impose any other  
23 registration or license fee on any snowmobile **or Class I, Class III or Class**  
24 **IV all-terrain vehicle** in this state. This subsection does not prohibit any  
25 city, county or other political subdivision, or any state agency from regu-  
26 lating the operation of snowmobiles or Class I all-terrain vehicles on public  
27 lands, waters and other properties under its jurisdiction and on streets or  
28 highways within its boundaries by adopting regulations or ordinances of its  
29 governing body if such regulations are not inconsistent with ORS 821.150 to  
30 821.292.

1 “(4) The provisions of ORS 819.110 to 819.215 relating to towing of vehi-  
2 cles that are abandoned establish minimum requirements subject to the fol-  
3 lowing:

4 “(a) Notwithstanding paragraph (b) of this subsection, a county or incor-  
5 porated city may supersede such provisions by ordinance or charter pro-  
6 vision.

7 “(b) Any road authority described under ORS 810.010 may adopt rules or  
8 procedures that do not conflict with such provisions to provide for additional  
9 protection for the owner or person with an interest in a vehicle subject to  
10 such provisions or that more quickly accomplish the procedures established  
11 under such provisions.

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

18 “(6) Except as otherwise specifically provided in this section, in accord-  
19 ance with the provisions of ORS 801.041, the governing body of a county may  
20 establish by ordinance registration fees for vehicles registered at a residence  
21 or business address within the county.

22 “(7) Except as otherwise specifically provided in this section, in accord-  
23 ance with the provisions of ORS 801.042, the governing body of a district  
24 may establish by ordinance registration fees for vehicles registered at a res-  
25 idence or business address within the district.

26 “**SECTION 15.** ORS 801.041, as amended by section 1, chapter 24, Oregon  
27 Laws 2018, and section 24, chapter 93, Oregon Laws 2018, is amended to read:

28 “801.041. The following apply to the authority granted to counties by ORS  
29 801.040 to establish registration fees for vehicles:

30 “(1) An ordinance establishing registration fees under this section must

1 be enacted by the county imposing the registration fee and filed with the  
2 Department of Transportation. Notwithstanding ORS 203.055 or any pro-  
3 vision of a county charter, the governing body of a county with a population  
4 of 350,000 or more may enact an ordinance establishing registration fees. The  
5 governing body of a county with a population of less than 350,000 may enact  
6 an ordinance establishing registration fees after submitting the ordinance to  
7 the electors of the county for their approval. The governing body of the  
8 county imposing the registration fee shall enter into an intergovernmental  
9 agreement under ORS 190.010 with the department by which the department  
10 shall collect the registration fees, pay them over to the county and, if nec-  
11 essary, allow the credit or credits described in ORS 803.445 (5). The inter-  
12 governmental agreement must state the date on which the department shall  
13 begin collecting registration fees for the county.

14 “(2) The authority granted by this section allows the establishment of  
15 registration fees in addition to those described in ORS 803.420 and 803.422.  
16 There is no authority under this section to affect registration periods, qual-  
17 ifications, cards, plates, requirements or any other provision relating to ve-  
18 hicle registration under the vehicle code.

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

23 “(a) Snowmobiles and **Class I, Class III or Class IV** all-terrain vehicles.

24 “(b) Fixed load vehicles.

25 “(c) Vehicles registered under ORS 805.100 to disabled veterans.

26 “(d) Vehicles registered as antique vehicles under ORS 805.010.

27 “(e) Vehicles registered as vehicles of special interest under ORS 805.020.

28 “(f) Government-owned or operated vehicles registered under ORS 805.040  
29 or 805.045.

30 “(g) School buses or school activity vehicles registered under ORS 805.050.

1       “(h) Law enforcement undercover vehicles registered under ORS 805.060.

2       “(i) Vehicles registered on a proportional basis for interstate operation.

3       “(j) Vehicles with a registration weight of 26,001 pounds or more de-  
4 scribed in ORS 803.420 (14)(a) or (b).

5       “(k) Vehicles registered as farm vehicles under the provisions of ORS  
6 805.300.

7       “(L) Travel trailers, campers and motor homes.

8       “(m) Vehicles registered to an employment address as provided in ORS  
9 802.250 when the eligible public employee or household member’s residence  
10 address is not within the county of the employment address. The department  
11 may adopt rules it considers necessary for the administration of this para-  
12 graph.

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

14       “(4) Any registration fee imposed by a county must be a fixed amount not  
15 to exceed, with respect to any vehicle class, the sum of the registration fee  
16 established under ORS 803.420 (6)(a) and the fee applicable to the registered  
17 vehicle under ORS 803.422. For vehicles on which a flat fee is imposed under  
18 ORS 803.420, the fee must be a whole dollar amount.

19       “(5) Moneys from registration fees established under this section must be  
20 paid to the county establishing the registration fees as provided in ORS  
21 802.110.

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

26       “(7) The moneys for the cities and the county shall be used for any pur-  
27 pose for which moneys from registration fees may be used, including the  
28 payment of debt service and costs related to bonds or other obligations is-  
29 sued for such purposes.

30       “(8) Two or more counties may act jointly to impose a registration fee

1 under this section. The ordinance of each county acting jointly with another  
2 under this subsection must provide for the distribution of moneys collected  
3 through a joint registration fee.

4 **“SECTION 16.** ORS 801.042, as amended by section 25, chapter 93, Oregon  
5 Laws 2018, is amended to read:

6 “801.042. The following apply to the authority granted to a district by  
7 ORS 801.040 to establish registration fees for vehicles:

8 “(1) Before the governing body of a district can impose a registration fee  
9 under this section, it must submit the proposal to the electors of the district  
10 for their approval and, if the proposal is approved, enter into an intergov-  
11 ernmental agreement under ORS 190.010 with the governing bodies of all  
12 counties, other districts and cities with populations of over 300,000 that  
13 overlap the district. The intergovernmental agreement must state the regis-  
14 tration fees and, if necessary, how the revenue from the fees shall be appor-  
15 tioned among counties and the districts. Before the governing body of a  
16 county can enter into such an intergovernmental agreement, the county shall  
17 consult with the cities in its jurisdiction.

18 “(2) If a district raises revenues from a registration fee for purposes re-  
19 lated to highways, roads, streets and roadside rest areas, the governing body  
20 of that district shall establish a Regional Arterial Fund and shall deposit in  
21 the Regional Arterial Fund all such registration fees.

22 “(3) Interest received on moneys credited to the Regional Arterial Fund  
23 shall accrue to and become a part of the Regional Arterial Fund.

24 “(4) The Regional Arterial Fund must be administered by the governing  
25 body of the district referred to in subsection (2) of this section and such  
26 governing body by ordinance may disburse moneys in the Regional Arterial  
27 Fund. Moneys within the Regional Arterial Fund may be disbursed only for  
28 a program of projects recommended by a joint policy advisory committee on  
29 transportation consisting of local officials and state agency representatives  
30 designated by the district referred to in subsection (2) of this section. The

1 projects for which the joint policy advisory committee on transportation can  
2 recommend funding must concern arterials, collectors or other improvements  
3 designated by the joint policy advisory committee on transportation.

4 “(5) Ordinances establishing registration fees under this section must be  
5 filed with the Department of Transportation. The governing body of the dis-  
6 trict imposing the registration fee shall enter into an intergovernmental  
7 agreement under ORS 190.010 with the department by which the department  
8 shall collect the registration fees, pay them over to the district and, if nec-  
9 essary, allow the credit or credits described in ORS 803.445 (5). The inter-  
10 governmental agreement must state the date on which the department shall  
11 begin collecting registration fees for the district.

12 “(6) The authority granted by this section allows the establishment of  
13 registration fees in addition to those described in ORS 803.420 and 803.422.  
14 There is no authority under this section to affect registration periods, qual-  
15 ifications, cards, plates, requirements or any other provision relating to ve-  
16 hicle registration under the vehicle code.

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

21 “(a) Snowmobiles and Class I, **Class III or Class IV** all-terrain vehicles.

22 “(b) Fixed load vehicles.

23 “(c) Vehicles registered under ORS 805.100 to disabled veterans.

24 “(d) Vehicles registered as antique vehicles under ORS 805.010.

25 “(e) Vehicles registered as vehicles of special interest under ORS 805.020.

26 “(f) Government-owned or operated vehicles registered under ORS 805.040  
27 or 805.045.

28 “(g) School buses or school activity vehicles registered under ORS 805.050.

29 “(h) Law enforcement undercover vehicles registered under ORS 805.060.

30 “(i) Vehicles registered on a proportional basis for interstate operation.



1 “(j) Vehicles with a registration weight of 26,001 pounds or more de-  
2 scribed in ORS 803.420 (14)(a) or (b).

3 “(k) Vehicles registered as farm vehicles under the provisions of ORS  
4 805.300.

5 “(L) Travel trailers, campers and motor homes.

6 “(m) Vehicles registered to an employment address as provided in ORS  
7 802.250 when the eligible public employee or household member’s residence  
8 address is not within the county of the employment address. The department  
9 may adopt rules it considers necessary for the administration of this para-  
10 graph.

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

12 “(8) Any registration fee imposed by the governing body of a district must  
13 be a fixed amount not to exceed, with respect to any vehicle class, the reg-  
14 istration fee established under ORS 803.420 (6)(a) and the fee applicable to  
15 the registered vehicle under ORS 803.422. For vehicles on which a flat fee  
16 is imposed under ORS 803.420, the fee must be a whole dollar amount.

17 **“SECTION 17.** ORS 803.505 is amended to read:

18 “803.505. (1) The owner of a vehicle that is registered in this state com-  
19 mits the offense of failure to carry a registration card if the owner does not  
20 place and keep the card in or on the vehicle in a manner that makes it  
21 readily available for police inspection upon request.

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

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

25 “(b) In the case of a camper, the owner shall keep the registration card  
26 in the transporting vehicle.

27 “(c) In the case of a snowmobile **or Class I, Class III or Class IV all-**  
28 **terrain vehicle**, the registration card or certificate shall be in a place that  
29 is readily accessible whether or not the snowmobile **or Class I, Class III**  
30 **or Class IV all-terrain vehicle** is in operation.

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

3 **“SECTION 18.** ORS 803.565 is amended to read:

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

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

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

11 “(c) Is not a motorcycle, moped, **Class I, Class III or Class IV all-**  
12 **terrain vehicle** or snowmobile.

13 “(2) A person who has a vehicle dealer certificate issued under ORS  
14 822.020 need not remove registration stickers under subsection (1) of this  
15 section if:

16 “(a) The person submits title and registration documents to the Depart-  
17 ment of Transportation on behalf of the buyer of the vehicle; or

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

20 “(3) A person who has a towing business certificate issued under ORS  
21 822.205 need not remove registration stickers under subsection (1) of this  
22 section if the person sells the vehicle to a person who has a vehicle dealer  
23 certificate issued under ORS 822.020 or to a person who has a dismantler  
24 certificate issued under ORS 822.110.

25 **“SECTION 19.** ORS 805.250 is amended to read:

26 “805.250. [*This section establishes fees for issuance of registration plates*  
27 *authorized under ORS 805.200.*] If a fee for **issuance of registration** plates  
28 authorized [*in*] **under** ORS 805.200 is not established in this section, the fee  
29 is the same fee as established under ORS 803.570. [*Where*] **When** a fee is  
30 established under this section, the fee is in addition to the fee established

1 under ORS 803.570 unless otherwise provided in the following:

2 “(1) Amateur radio operator registration plates issued under ORS 805.230,  
3 \$5.

4 “(2) Customized registration plates issued under ORS 805.240:

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

6 “(b) For issuance of a duplicate or replacement plate, \$5 when the plate  
7 is issued at the time of renewal of registration or \$10 when the plate is is-  
8 sued at any other time.

9 “(3) Special interest registration plates approved under ORS 805.210 are  
10 approved without cost except as provided in this subsection, including with-  
11 out payment of the fee established under ORS 803.570. If identifying stickers  
12 are required, \$1 per sticker or pair of stickers.

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

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

16 “(b) For replacement dealer plates, \$10 for each plate except that persons  
17 dealing exclusively in motorcycles, mopeds, **Class I, Class III or Class IV**  
18 **all-terrain vehicles**, snowmobiles or any combination of those vehicles shall  
19 pay only \$3 for each replacement plate.

20 “(c) For additional plates, or for renewal of registration, \$42, except that  
21 persons dealing exclusively in motorcycles, mopeds or snowmobiles or any  
22 combination of those vehicles shall pay only \$9 for each additional plate, or  
23 for renewal of registration.

24 “(5) Special vehicle transporter plates or devices issued under ORS  
25 822.310, \$5 for each plate or device.

26

27

## “APPLICABILITY

28

29 **“SECTION 20. (1) The requirement to register and title a Class I,**  
30 **Class III or Class IV all-terrain vehicle pursuant to sections 5 to 9 of**

1 **this 2019 Act applies:**

2 **“(a) On or after January 1, 2021, to Class IV all-terrain vehicles.**

3 **“(b) On or after January 1, 2022, to Class I all-terrain vehicles.**

4 **“(c) On or after January 1, 2023, to Class III all-terrain vehicles.**

5 **“(2) Sections 6, 7 and 9 of this 2019 Act and the amendments to ORS**  
6 **830.990 by section 10 of this 2019 Act apply to conduct occurring on or**  
7 **after January 1, 2023.**

8

9

**“CAPTIONS**

10

11 **“SECTION 21. The unit and section captions used in this 2019 Act**  
12 **are provided only for the convenience of the reader and do not become**  
13 **part of the statutory law of this state or express any legislative intent**  
14 **in the enactment of this 2019 Act.”.**

15

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