

SB 57-2
(LC 516)
3/27/19 (HE/ps)

Requested by JOINT COMMITTEE ON TRANSPORTATION (at the request of the Department of Transportation)

**PROPOSED AMENDMENTS TO
SENATE BILL 57**

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

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

10
11 **“VEHICLE TITLES**

12
13 **“SECTION 18.** ORS 803.045 is amended to read:

14 “803.045. (1) The Department of Transportation shall issue title for a ve-
15 hicle if the applicant and the vehicle meet the following qualifications:

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

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

21 “(c) The applicant must pay the fee for issuance of a certificate of title

1 under ORS 803.090 or the fee for issuance of title in another form, as estab-
2 lished by the department by rule in accordance with ORS 803.012.

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

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

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

10 “(e) If the vehicle is covered by an Oregon title or salvage title certif-
11 icate, the applicant shall surrender the Oregon title or salvage title certif-
12 icate, submit an application as provided under ORS 803.065 or submit other
13 evidence of ownership satisfactory to the department.

14 “(f) Unless the department adopts rules to the contrary, if the vehicle is
15 from another jurisdiction, the applicant shall surrender to the department
16 with the application the certificate of title issued by the other jurisdiction,
17 if such jurisdiction requires certificates of title. If such jurisdiction does not
18 require certificates of title, then the applicant shall surrender the registra-
19 tion cards.

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

22 “(h) Other than a racing activity vehicle as defined in ORS 801.404, if the
23 department has reason to believe a vehicle was not certified by the original
24 manufacturer as conforming to federal vehicle standards, the department may
25 require the applicant to provide proof satisfactory to the department that the
26 vehicle conforms to federal vehicle standards.

27 “(i) Unless the vehicle is exempted from odometer disclosure require-
28 ments, the applicant shall submit an appropriate odometer disclosure form.
29 The department shall determine what constitutes an appropriate form in any
30 particular situation. The department may make exceptions by rule to the

1 requirement for submission of an odometer disclosure form.

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

3 “(A) Required by ORS 803.210 to be inspected unless the vehicle has been
4 inspected as described in ORS 803.212 and the inspection fee paid under ORS
5 803.215.

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

8 “(i) **Has a junk status;**

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

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

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

14

15 “OUT-OF-STATE DRIVING RECORDS

16

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

18 “802.200. In addition to any other records the Department of Transporta-
19 tion may establish, the department is subject to the following provisions
20 concerning records:

21 “(1) The department shall maintain records concerning the titling of ve-
22 hicles in this state. The records under this subsection shall include the fol-
23 lowing:

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

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

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

1 “(C) The vehicle description; and

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

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

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

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

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

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

17 “(2) If a vehicle that has been registered or titled in another jurisdiction
18 is registered or titled in this state, the department shall retain a record of
19 any odometer readings shown on the title or registration documents submit-
20 ted to the department at the time of registration or title.

21 “(3) Except as otherwise provided in ORS 826.003, the department shall
22 maintain records concerning the registration of vehicles required to be reg-
23 istered by the department. The records concerning the registration of vehi-
24 cles may be stored along with records concerning the titling of vehicles. The
25 records under this subsection shall include the following:

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

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

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

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

2 “(D) An indication that the vehicle is a totaled vehicle if it has been re-
3 ported to the department as a totaled vehicle under the provisions of ORS
4 819.012 or 819.014, unless the reason for the report was theft and the vehicle
5 has been recovered.

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

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

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

12 “(b) An alphabetical index of the name of each person applying for a ve-
13 hicle dealer certificate.

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

16 “(5) The department shall maintain a file on vehicles for which the title
17 record is canceled under ORS 819.030. The records required under this sub-
18 section shall disclose the last registered owner of each vehicle, any security
19 interest holder or holders and lessors of each vehicle as shown by the can-
20 celed title record for each vehicle and the make and year model for each
21 vehicle.

22 “(6) The department shall maintain a record of each agreement or decla-
23 ration under ORS 802.500 and 802.520.

24 “(7) The department shall maintain separate and comprehensive records
25 of all transactions affecting the Revolving Account for Emergency Cash
26 Advances described under ORS 802.100.

27 “(8) The department shall maintain suitable records of driver licenses,
28 driver permits and identification cards. The records required under this
29 subsection shall include all of the following:

30 “(a) An index by name and number.

1 “(b) Supporting documentation of all driver licenses, driver permits or
2 identification cards issued.

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

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

7 “(e) For each driver license, driver permit or identification card, the So-
8 cial Security number of the person to whom the driver license, driver permit
9 or identification card is issued or proof that the person is not eligible for a
10 Social Security number.

11 “(f) For each commercial driver license and commercial learner driver
12 permit, the Social Security number of the person to whom the license or
13 permit is issued, or any other number or identifying information that the
14 Secretary of the United States Department of Transportation determines ap-
15 propriate to identify the person.

16 “(9) The Department of Transportation shall maintain a two-part driving
17 record consisting of an employment driving record and a nonemployment
18 driving record for each person as required under this subsection. All of the
19 following apply to the records required under this subsection:

20 “(a) The department shall maintain driving records on **each person the**
21 **department determines requires an Oregon driving record to comply**
22 **with federal regulations or provisions of the vehicle code. The depart-**
23 **ment shall establish rules for maintaining driving records under this**
24 **subsection.[:]**

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

27 “[B] *Every person whose driving privileges have been suspended, revoked*
28 *or canceled under this vehicle code;]*

29 “[C] *Every person who has filed an accident report under ORS 811.725 or*
30 *811.730; and]*

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

3 “(b) In addition to other information required by this paragraph, the em-
4 ployment driving record shall include all reports of drug test results that are
5 made to the department under ORS 825.410 or 825.415. Notwithstanding any
6 other provision of law, release of the portion of the employment driving re-
7 cord that shows drug test results reported under ORS 825.410 or 825.415 is
8 permitted only in accordance with ORS 802.202. The employment driving re-
9 cord shall also include all motor vehicle accidents that the person is required
10 to report under ORS 811.720, all suspensions of driving privileges required
11 to be placed on the record under ORS 809.280, all suspensions of the person’s
12 commercial driving privileges that result from operation or use of a com-
13 mercial motor vehicle and all convictions, **as determined by the depart-**
14 **ment by rule**, of the person for violation of motor vehicle laws except
15 convictions for offenses requiring mandatory revocation or suspension of
16 driving privileges under ORS 809.409, 809.411, 809.510 to 809.545 and 813.400,
17 but shall include only such accidents, suspensions and convictions that occur
18 while the person is driving a motor vehicle:

19 “(A) In the course of the person’s employment when the person is em-
20 ployed by another for the principal purpose of driving a motor vehicle;

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

22 “(C) In the course of the person’s employment in the collection, trans-
23 portation or delivery of mail if the vehicle is government owned or marked
24 for the collection, transportation or delivery of mail in accordance with
25 government rules;

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

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

28 “(F) In the course of the person’s employment with a federal, state or lo-
29 cal government in a public works project involving repair or maintenance
30 of water, sewer or road systems.

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

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

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

7 “(C) **Judgments and convictions, as determined by the department**
8 **by rule**, for violation of the motor vehicle laws [*other than those included*
9 *in the employment driving record*] including, for each violation of ORS 811.100
10 or 811.111, the speed at which the person was convicted of traveling and the
11 posted speed, the speed limit or the speed that constitutes prima facie evi-
12 dence of violation of the basic speed rule, as appropriate; and

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

15 “(d) The department may record other entries to indicate correspondence,
16 interviews, participation in driver improvement programs or other matters
17 concerning the status of the driving privileges of the person.

18 “(e) When a person [*from another jurisdiction applies for a*] **is issued a**
19 **driver license or driver permit** [*issued*] by this state, the department [*shall*]
20 **may request a copy of** [*the person’s*] **driving** [*record*] **records that exist for**
21 **the person in any** [*from the*] other jurisdiction. [*At the time the person is*
22 *issued a license in Oregon, the record from the other jurisdiction shall become*
23 *part of the driver’s record in this state with the same force and effect as though*
24 *entered on the driver’s record in this state in the original instance.*] The de-
25 partment [*by rule may specify methods for converting*] **shall adopt rules**
26 **specifying when the department may request driving records from**
27 **other jurisdictions and may apply** entries from out-of-state records for use
28 in Oregon.

29 “(f) When a suspension of a driver permit, driver license or other driving
30 privilege is placed on the driving record under ORS 809.280 for failure to

1 appear in court on a traffic crime, the department shall note on the record
2 that the suspension was for failure to appear in court and shall also note the
3 offense charged against the person on which the person failed to appear.

4 “(g) The Department of Transportation, in consultation with the Depart-
5 ment of State Police, shall devise and implement a method of noting sus-
6 pensions and revocations of driving privileges on the record in such a way
7 that police agencies can determine directly from the record what class of
8 offense, as provided by law, is committed by a person who drives in violation
9 of the suspension or revocation. If the Department of Transportation and the
10 Department of State Police devise a mutually agreeable alternative method
11 of informing police agencies of the nature of a suspension or revocation and
12 the consequences of its violation, the implementation of that method shall
13 satisfy the duty of the Department of Transportation under this paragraph.

14 “[~~(10)~~ *The Department of Transportation shall maintain records of judg-*
15 *ments or convictions sent to the department under ORS 810.375.*]

16 “[~~(11)~~ **(10)** The department shall maintain accident reports filed with the
17 department under ORS 810.460 and 811.725 to 811.735.

18 “[~~(12)~~ **(11)** The department shall maintain records of bank checks or
19 money orders returned under ORS 802.110.

20 “[~~(13)~~ **(12)** The department shall maintain records of trip permits issued
21 by the department under ORS 803.600, as provided under this subsection. The
22 records required by this subsection shall include the following:

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

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

25 “(c) When the permit was issued.

26 “(d) The type of permit issued.

27 “(e) For registration weight trip permits, the maximum allowable regis-
28 tration weight permitted for operation under the permit.

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

1 **“NOTICE OF EXPIRATION OF DRIVER LICENSES**
2 **OR IDENTIFICATION CARDS**

3
4 **“SECTION 20.** ORS 807.140 is amended to read:

5 “807.140. (1) Before the expiration of any license or a license with an
6 endorsement under the vehicle code, the Department of Transportation shall
7 notify the person to whom the license was issued of the approaching expi-
8 ration. Within a reasonable time prior to the expiration date, *[the notice*
9 *shall be mailed to the person to whom the license was issued at the address*
10 *shown in the files maintained by]* the department **shall notify the person**
11 **to whom the license was issued in the manner determined by the de-**
12 **partment by rule.**

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

17 “(3) Notwithstanding subsection (1) of this section, the department is not
18 required to notify the person of an approaching expiration if the person re-
19 ceived a limited term driver license, limited term commercial driver license,
20 limited term driver permit, limited term commercial learner driver permit or
21 limited term identification card under ORS 807.730 for a period of less than
22 one year.

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

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

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

30 “802.210. The Department of Transportation is not required to maintain

1 records on any of the following:

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

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

6

7 **“REQUEST FOR IMPLIED CONSENT HEARINGS**

8

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

10 “813.410. (1) If the Department of Transportation receives from a police
11 officer a report that is in substantial compliance with ORS 813.120, the de-
12 partment shall suspend the driving privileges of the person in this state on
13 the 30th day after the date of arrest or, if the report indicates that the per-
14 son failed a blood test, on the 60th day after receipt of the report, unless,
15 at a hearing described under this section, the department determines that the
16 suspension would not be valid as described in this section. A suspension of
17 driving privileges imposed under this subsection shall be for a period of time
18 established under ORS 813.420.

19 “(2) If the department receives from a police officer a report [*pursuant*
20 *to*] **under** ORS 813.120 and the person holds commercial driving privileges
21 and the person was driving a motor vehicle or commercial motor vehicle and
22 refused to submit to a test under ORS 813.100 or the person was driving a
23 commercial motor vehicle and submitted to a breath or blood test and the
24 person’s blood, as shown by the test, had 0.04 percent or more by weight of
25 alcohol, the department shall suspend the person’s commercial driving priv-
26 ileges on the 30th day after the date of arrest or, if the report indicates that
27 the person failed a blood test, on the 60th day after receipt of the report,
28 unless, at a hearing described under this section, the department determines
29 that the suspension would not be valid as described in this section. A com-
30 mercial driving privileges suspension imposed under this subsection shall be

1 for a period of time established under ORS 809.510 or 809.520.

2 “(3) If within 10 days from the date of arrest, or, if the person fails a
3 blood test, within 10 days from the date the department sends notice of sus-
4 pension, the department receives a [*written*] request for a hearing from a
5 person whose driving privileges or commercial driving privileges the depart-
6 ment proposes to suspend under this section, the department shall provide a
7 hearing in accordance with this section. **The person shall request a**
8 **hearing in the form and manner prescribed by the department by rule.**
9 Except as otherwise provided under this section, a hearing held by the de-
10 partment under this section [*shall be*] **is** subject to the provisions for con-
11 tested cases, other than appeal provisions, under ORS chapter 183. The
12 applicable appeal provisions are as provided under ORS 813.450 and section
13 24, chapter 672, Oregon Laws 1985. Notwithstanding ORS 809.430, the de-
14 partment is not required to give any notice of intent to suspend or suspen-
15 sion in addition to that provided under ORS 813.100.

16 “(4) Except as provided in subsection (5) of this section, a hearing re-
17 quired by this section is subject to all of the following:

18 “(a) The hearing shall be conducted by an administrative law judge as-
19 signed from the Office of Administrative Hearings established under ORS
20 183.605.

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

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

25 “(d) A person who requests a hearing under this section and who fails,
26 without just cause, to appear personally or through an attorney waives the
27 right to a hearing. If a person waives a right to a hearing under this para-
28 graph, the department is not required to make any showing at hearing.

29 “(e) Except as provided in ORS 813.440 or upon remand under ORS
30 813.450, the department shall hold the hearing and issue a final order within

1 30 days of the date of the arrest or, if the person fails a blood test, within
2 60 days from the date the department received the report of the failure.

3 “(f) In connection with the hearing, the department or its authorized
4 representative may administer oaths and shall issue subpoenas for the ap-
5 pearance of witnesses by telephone or other two-way electronic communi-
6 cation device at the hearing requested by the person or the department and
7 the production of relevant documents.

8 “(g) The hearing shall be recorded by whatever means may be determined
9 by the department and shall include testimony and exhibits, if any. The re-
10 cord of the proceedings may not be transcribed unless requested by a party
11 to the proceeding.

12 “(5)(a) A person or a police officer may request that a hearing required
13 by this section be conducted in person.

14 “(b) The department, by rule, shall establish the manner and time limita-
15 tion requirements by which a person or a police officer may request that a
16 hearing be conducted in person.

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

22 “(d) In connection with the hearing, the department or its authorized
23 representative may administer oaths and shall issue subpoenas for the at-
24 tendance of witnesses at the hearing requested under this subsection by the
25 person and the production of relevant documents.

26 “(6) This subsection shall be narrowly construed so as to effect the leg-
27 islative purpose of limiting the scope of hearings under this section. The
28 scope of a hearing under this section shall be limited to whether the sus-
29 pension is valid as described in this subsection. A suspension under this
30 section is valid if all of the following requirements have been met:

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

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

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

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

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

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

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

18 “(e) The person had been informed under ORS 813.100 of rights and con-
19 sequences as described under ORS 813.130.

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

21 “(g) If the person arrested submitted to a test under ORS 813.100, the
22 person administering the test was qualified to administer the test under ORS
23 813.160.

24 “(h) If the person arrested submitted to a test under ORS 813.100, the
25 methods, procedures and equipment used in the test complied with require-
26 ments under ORS 813.160.

27 “(7) A suspension imposed under this section shall remain in effect pend-
28 ing any appeal or remand of a final order issued under this section and there
29 shall be no stay of the suspension pending appeal or remand.

30 “(8) Unless a person fails, without just cause, to appear personally or

1 through an attorney at a hearing requested under this section, a person shall
2 have the right to appeal any final order by the department after a hearing
3 under this section by filing a petition. The following apply to this subsection:

4 “(a) The person shall file the petition in the circuit court for the county
5 where the person resides or, if the person does not reside in Oregon, in the
6 circuit court of the county in which the arrest took place within 30 days
7 after issuance of the final order of the department.

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

11

12

“DRIVING PRIVILEGE SUSPENSION NOTICES

13

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

16 “809.416. This section establishes circumstances that will make a person
17 subject to suspension under ORS 809.415 (4) and what a person is required
18 to do to make the person no longer subject to suspension. The following ap-
19 ply as described:

20 “(1) A person is subject to suspension under ORS 809.415 (4) if the De-
21 partment of Transportation receives notice from a court to [*apply this*
22 *section*] **commence suspension** under ORS 809.220. A person who is subject
23 under this subsection remains subject until the person presents the depart-
24 ment with notice issued by the court showing that the person is no longer
25 subject to this section or until 10 years have elapsed from the date the traffic
26 offense or violation of ORS 471.430 occurred, whichever is earlier. This sub-
27 section [*shall*] **does** not subject a person to ORS 809.415 (4) for any pedes-
28 trian offense, bicycling offense or parking offense. Upon receipt of notice
29 from a court **to commence suspension under ORS 809.220**, the department
30 shall [*send a letter by first class mail advising the person*] **notify the person,**

1 **in a manner determined by the department by rule**, that the suspension
2 will commence 60 days from the date *[of the letter]* **the department sent the**
3 **notification** unless the person presents the department with *[the notice re-*
4 *quired by this subsection]* **notice issued by the court showing that the**
5 **person is no longer subject to this section.**

6 “(2) A person is subject to suspension under ORS 809.415 (4) if the de-
7 partment receives a notice of suspension from a court under ORS 809.210
8 indicating that the person has failed or refused to pay a fine or obey an order
9 of the court. A person who is subject under this subsection remains subject
10 until the earlier of the following:

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

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

15 “(B) Has enrolled in a preapprenticeship program, as defined in ORS
16 660.010, or is a registered apprentice under ORS 660.020; or

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

18 “(3) *[Subsection (2) of this section does not subject a person to]* **Notwith-**
19 **standing subsection (2) of this section, a person is not subject to sus-**
20 **pension under ORS 809.415 (4) for failure or refusal to pay a fine relating**
21 **to any pedestrian offense, bicycling offense or parking offense.**

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

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

30 “809.430. (1) When the Department of Transportation, as authorized or

1 required, suspends, revokes or cancels driving privileges, commercial driving
2 privileges or the right to apply for driving privileges or commercial driving
3 privileges, the department shall give notice under this section of such action
4 to the person whose driving privileges, commercial driving privileges or right
5 to apply is affected.

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

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

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

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

16 “[*(4) Service of notice under this section for all other actions is accom-*
17 *plished by:*]

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

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

22 “**(3) The department shall serve the notice in a manner determined**
23 **by the department by rule.**

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

25 “811.180. The following establishes affirmative defenses in prosecutions
26 for driving while suspended or revoked in violation of ORS 811.175 or 811.182
27 and describes when the affirmative defenses are not available:

28 “(1) In addition to other defenses provided by law, including but not lim-
29 ited to ORS 161.200, it is an affirmative defense to the offenses described in
30 ORS 811.175 and 811.182 that:

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

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

8 “(2) The affirmative defenses described in subsection (1)(b) of this section
9 are not available to a defendant under the circumstances described in this
10 subsection. Any of the evidence specified in this subsection may be offered
11 in the prosecution’s case in chief. This subsection applies if any of the fol-
12 lowing circumstances exist:

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

16 “(b) The notice of suspension or revocation could not be delivered to the
17 defendant because the defendant failed to comply with the requirements un-
18 der ORS 807.560 to notify the Department of Transportation of a change of
19 address or residence.

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

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

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

28

29

“IDENTIFICATION CARDS

30

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

2 “807.400. (1) The Department of Transportation shall issue an identifica-
3 tion card to any person who:

4 “(a) Is domiciled in or is a resident of this state, as described in ORS
5 807.062;

6 “(b) As required by ORS 807.021 and 807.730, provides the Social Security
7 number assigned to the person by the United States Social Security Admin-
8 istration and proof of legal presence in the United States or, if the person
9 is not eligible for a Social Security number, proof of legal presence in the
10 United States and proof that the person is not eligible for a Social Security
11 number;

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

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

15 “(e) Submits to collection of biometric data by the department that es-
16 tablish the identity of the person as provided in ORS 807.024.

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

19 “(3) Every original application for an identification card must be signed
20 by the applicant. The department shall require proof to verify the address
21 of an applicant for issuance of an identification card in addition to other
22 documents the department may require of the applicant. If the address of an
23 applicant has changed since the last time an identification card was issued
24 to or renewed for the applicant, the department shall require proof to verify
25 the address of the applicant for renewal of an identification card, in addition
26 to anything else the department may require. The department shall adopt
27 rules to identify what constitutes proof of address for purposes of this sub-
28 section. Verification of proof of address may include, but is not limited to,
29 providing a utility bill, a tax return, a record from a financial institution,
30 a proof of insurance card or a health benefits card, a selective service card,

1 a mortgage document or a lease agreement. The applicant may provide the
2 proof of address by submitting proof in the form of an original document or
3 a copy of a document, use an electronic device to display proof of address,
4 or provide proof through the use of a third party address verification system.

5 “(4) Every identification card shall be issued upon the standard license
6 form described under ORS 807.110 and shall bear a statement to the effect
7 that the identification card is not a license or any other grant of driving
8 privileges to operate a motor vehicle and is to be used for identification
9 purposes only. The department shall use the same security procedures, pro-
10 cesses, materials and features for an identification card as are required for
11 a license under ORS 807.110. The identification card is not required to con-
12 tain the residence address of persons listed in ORS 807.110 (1)(e).

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

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

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

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

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

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

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

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

30 “(11) An identification card becomes invalid if the holder of the card

1 changes the holder's residence address from that shown on the identification
2 card and does not provide the department with notice of the change as re-
3 quired under ORS 807.420.

4 “(12) If a person to whom an identification card was issued and who
5 changes the person's residence address [*appears in person at a department*
6 *office that issues identification cards,*] **submits an application for a re-**
7 **placement identification card**, the department may [*do any of the follow-*
8 *ing:*]

9 “[*(a)*] issue a replacement identification card containing the new address
10 upon receipt of the old identification card and payment of the fee established
11 [*for issuing a replacement identification card with a changed address*] under
12 ORS 807.410. Except as otherwise provided in subsection (14) of this section,
13 the replacement identification card shall bear the same distinguishing num-
14 ber as the card being replaced.

15 “[*(b)* Note the new address on the old identification card in a manner to
16 be determined by the department by rule.]

17 “(13) An identification card becomes invalid if the holder of the card
18 changes the holder's name from that shown on the card, including a change
19 of name by marriage, without providing the department with notice of the
20 change as required under ORS 807.420. Upon receiving such notice and the
21 old identification card, the department shall issue a replacement identifica-
22 tion card upon payment of the fee [*required*] **established** under ORS 807.410.

23 “(14) In the event that, for a reason identified by the department by rule,
24 a person needs a replacement identification card that bears a distinguishing
25 number different from the number on the card being replaced, the person to
26 whom the card was issued may obtain a replacement card from the depart-
27 ment upon furnishing proof satisfactory to the department of the need for
28 such replacement and payment of the [*replacement*] fee **established** under
29 ORS 807.410.

30 “(15) If a person furnishes proof that the person is a veteran, as defined

1 in ORS 408.225, and the person's identification card does not include the fact
2 that the person is a veteran, the department shall issue a replacement iden-
3 tification card that includes the fact that the person is a veteran.

4 "(16) The department may establish by rule reasons for issuing replace-
5 ment identification cards that are in addition to the reasons identified in
6 subsections (12) to (15) of this section. The fee for a replacement identifica-
7 tion card is provided under ORS 807.410.

8 "(17) Upon cancellation of an identification card, the card is terminated
9 and must be surrendered to the department. An identification card may be
10 canceled for any of the reasons that driving privileges or a driver license
11 may be canceled under ORS 809.310. The department may reissue an iden-
12 tification card canceled under this subsection when the applicant has satis-
13 fied all requirements for the identification card.

14 "(18) Notwithstanding any other provision of this section, the department
15 may issue an identification card to a person under this subsection without
16 charge when the person surrenders the person's driver license or driver per-
17 mit to the department for reasons described in this subsection. If the de-
18 partment issues an identification card under this subsection, the
19 identification card shall expire at the same time as the surrendered driver
20 license or driver permit would have expired. An identification card issued
21 under this subsection is subject to the same requirements and fees for re-
22 newal or upon expiration as any other identification card issued under this
23 section. The department may issue identification cards under this subsection
24 for any of the following reasons:

25 "(a) The person voluntarily surrenders the person's driver license or
26 driver permit to the department based upon the person's recognition that the
27 person is no longer competent to drive.

28 "(b) The person's driving privileges are suspended under ORS 809.419 (1).
29 This paragraph only applies if the person voluntarily surrenders the person's
30 driver license or driver permit to the department as provided under ORS

1 809.500.

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

4 “807.400. (1) The Department of Transportation shall issue an identifica-
5 tion card to any person who:

6 “(a) Is domiciled in or is a resident of this state, as described in ORS
7 807.062;

8 “(b) As required by ORS 807.021 and 807.730, provides the Social Security
9 number assigned to the person by the United States Social Security Admin-
10 istration and proof of legal presence in the United States or, if the person
11 is not eligible for a Social Security number, proof of legal presence in the
12 United States and proof that the person is not eligible for a Social Security
13 number;

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

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

17 “(e) Submits to collection of biometric data by the department that es-
18 tablish the identity of the person as provided in ORS 807.024.

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

21 “(3) Every original application for an identification card must be signed
22 by the applicant. The department shall require proof to verify the address
23 of an applicant for issuance of an identification card in addition to other
24 documents the department may require of the applicant. If the address of an
25 applicant has changed since the last time an identification card was issued
26 to or renewed for the applicant, the department shall require proof to verify
27 the address of the applicant for renewal of an identification card, in addition
28 to anything else the department may require. The department shall adopt
29 rules to identify what constitutes proof of address for purposes of this sub-
30 section. Proof of address may include, but is not limited to, providing a

1 utility bill, a tax return, a record from a financial institution, a proof of
2 insurance card or a health benefits card, a selective service card, a mortgage
3 document or a lease agreement. The applicant may provide the proof of ad-
4 dress by submitting proof in the form of an original document or a copy of
5 a document, use an electronic device to display proof of address, or provide
6 proof through the use of a third party address verification system.

7 “(4) Every identification card shall be issued upon the standard driver
8 license form described under ORS 807.110 and shall bear a statement to the
9 effect that the identification card is not a driver license or any other grant
10 of driving privileges to operate a motor vehicle and is to be used for iden-
11 tification purposes only. The department shall use the same security proce-
12 dures, processes, materials and features for an identification card as are
13 required for a driver license under ORS 807.110. The identification card is
14 not required to contain the residence address of persons listed in ORS 807.110
15 (1)(e).

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

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

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

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

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

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

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

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

3 “(11) An identification card becomes invalid if the holder of the card
4 changes the holder’s residence address from that shown on the identification
5 card and does not provide the department with notice of the change as re-
6 quired under ORS 807.420.

7 “(12) If a person to whom an identification card was issued and who
8 changes the person’s residence address [*appears in person at a department*
9 *office that issues identification cards,*] **submits an application for a re-**
10 **placement identification card,** the department may [*do any of the follow-*
11 *ing:*]

12 “[*(a)*] issue a replacement identification card containing the new address
13 upon receipt of the old identification card and payment of the fee established
14 [*for issuing a replacement identification card with a changed address*] under
15 ORS 807.410. Except as otherwise provided in subsection (14) of this section,
16 the replacement identification card shall bear the same distinguishing num-
17 ber as the card being replaced.

18 “[*(b) Note the new address on the old identification card in a manner to*
19 *be determined by the department by rule.*]

20 “(13) An identification card becomes invalid if the holder of the card
21 changes the holder’s name from that shown on the card, including a change
22 of name by marriage, without providing the department with notice of the
23 change as required under ORS 807.420. Upon receiving such notice and the
24 old identification card, the department shall issue a replacement identifica-
25 tion card upon payment of the fee [*required*] **established** under ORS 807.410.

26 “(14) In the event that, for a reason identified by the department by rule,
27 a person needs a replacement identification card that bears a distinguishing
28 number different from the number on the card being replaced, the person to
29 whom the card was issued may obtain a replacement card from the depart-
30 ment upon furnishing proof satisfactory to the department of the need for

1 such replacement and payment of the [*replacement*] fee **established** under
2 ORS 807.410.

3 “(15) If a person furnishes proof that the person is a veteran, as defined
4 in ORS 408.225, and the person’s identification card does not include the fact
5 that the person is a veteran, the department shall issue a replacement iden-
6 tification card that includes the fact that the person is a veteran.

7 “(16) The department may establish by rule reasons for issuing replace-
8 ment identification cards that are in addition to the reasons identified in
9 subsections (12) to (15) of this section. The fee for a replacement identifica-
10 tion card is provided under ORS 807.410.

11 “(17) Upon cancellation of an identification card, the card is terminated
12 and must be surrendered to the department. An identification card may be
13 canceled for any of the reasons that driving privileges or a driver license
14 may be canceled under ORS 809.310. The department may reissue an iden-
15 tification card canceled under this subsection when the applicant has satis-
16 fied all requirements for the identification card.

17 “(18) Notwithstanding any other provision of this section, the department
18 may issue an identification card to a person under this subsection without
19 charge when the person surrenders the person’s driver license or driver per-
20 mit to the department for reasons described in this subsection. If the de-
21 partment issues an identification card under this subsection, the
22 identification card shall expire at the same time as the surrendered driver
23 license or driver permit would have expired. An identification card issued
24 under this subsection is subject to the same requirements and fees for re-
25 newal or upon expiration as any other identification card issued under this
26 section. The department may issue identification cards under this subsection
27 for any of the following reasons:

28 “(a) The person voluntarily surrenders the person’s driver license or
29 driver permit to the department based upon the person’s recognition that the
30 person is no longer competent to drive.

1 “(b) The person’s driving privileges are suspended under ORS 809.419 (1).
2 This paragraph only applies if the person voluntarily surrenders the person’s
3 driver license or driver permit to the department as provided under ORS
4 809.500.

5 “(19) If a person is applying for an identification card that is a Real ID,
6 the person must comply with the requirements under the vehicle code for
7 issuance of Real IDs.

8

9 “**CANCELLATION NOTICES**

10

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

12 “809.090. (1) The Department of Transportation may cancel the registra-
13 tion or title or both of a vehicle if the department determines that:

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

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

18 “(2) Before cancellation under this section, the department must give op-
19 portunity for a hearing upon 10 days’ notice. [*The notice shall be served in*
20 *person or by first class mail.*] **The department shall serve notice in a**
21 **manner determined by the department by rule.**

22

23 “**VEHICLE TRIP PERMITS**

24

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

26 “803.600. A trip permit grants authority to temporarily operate a vehicle
27 on the highways of this state under circumstances where the operation would
28 not otherwise be legal because the vehicle is not registered by this state or
29 because provisions relating to the vehicle’s registration do not allow the
30 operation. The Department of Transportation shall provide for the issuance

1 of trip permits in a manner consistent with this section. All of the following
2 apply to permits issued under this section:

3 “(1) The department shall issue the following types of trip permits to au-
4 thorize the described type of operation and, except as provided in subsection
5 (2) of this section, may not issue trip permits for any other purpose:

6 “(a) A heavy motor vehicle trip permit may be issued for *[a]* **the follow-**
7 **ing vehicles that are not registered in this state:**

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

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

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

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

15 “[*b*] (c) A heavy trailer trip permit may be issued for a trailer that will
16 be operated on the highways at a loaded weight of more than 8,000 pounds
17 or that is a fixed load vehicle, and that is not registered to allow operation
18 of the vehicle in this state. A permit described in this paragraph is valid for
19 10 consecutive days. This paragraph does not apply to travel trailers.

20 “[*c*] (d) A light vehicle trip permit may be issued for a vehicle with a
21 combined weight or loaded weight of less than *[8,001]* **10,001** pounds that is
22 not a fixed load vehicle and that is not registered to allow operation of the
23 vehicle in this state. Permits described in this paragraph may be issued for
24 a period of 21 consecutive days. The department may not issue more than two
25 permits under this paragraph in a 12-month period for any one vehicle unless
26 all registered owners of the vehicle are replaced by new owners. If there is
27 a complete change in ownership of the vehicle, as shown by the registration
28 records for the vehicle, a new owner may receive permits for the vehicle
29 under this paragraph as if no permits had been issued for the vehicle. This
30 paragraph does not apply to campers, travel trailers or motor homes, which

1 are eligible for recreational vehicle trip permits under paragraph [(d)] (e)
2 of this subsection.

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

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

27 “[(f)] (g) A registered vehicle trip permit may be issued for a vehicle that
28 is registered in this state to allow the vehicle to operate under conditions
29 or in ways not permitted by the terms of the vehicle registration. The de-
30 partment shall determine by rule the kinds of operation for which permits

1 may be issued under this paragraph. A permit issued under this paragraph
2 is valid for 10 consecutive days.

3 “(2) The department shall allow a person issued a vehicle dealer certifi-
4 cate under ORS 822.020 or a towing business certificate under ORS 822.205
5 to issue a 10-day trip permit to a person who buys a motor vehicle from the
6 person with the certificate if the registration stickers are removed in ac-
7 cordance with ORS 803.565. The following apply to trip permits issued under
8 this subsection:

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

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

13 “(c) A person with a vehicle dealer certificate or a towing business cer-
14 tificate may not issue more than two permits under this subsection for the
15 same motor vehicle.

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

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

21 “(b) Requirements for the department to maintain records concerning trip
22 permits are established under ORS 802.200.

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

25 “(5) The department shall make the trip permits available to all field of-
26 fices and agents maintained by the department and may make arrangements
27 for the issuance of the permits by designated individuals, firms or associ-
28 ations for the convenience of the motoring public. This subsection does not
29 require the department to make trip permits described in subsection (2) of
30 this section available to anyone other than persons with vehicle dealer cer-

1 tificates or towing business certificates.

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

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

8 “(8) Trip permits are not required for the operation of unregistered vehi-
9 cles where such operation 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 vehi-
14 cles where such operation is permitted under ORS 803.305.

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

18 “(11) A trip permit may be issued to a school vehicle registered under
19 ORS 805.050 for use of the vehicle for purposes not permitted under ORS
20 805.050.

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

22 “803.602. An applicant for a light vehicle trip permit, a recreational ve-
23 hicle trip permit for a motor vehicle or a trip permit issued under ORS
24 803.600 (2) must submit, at the time of application, [*a statement*] **proof** indi-
25 cating that the vehicle that will be operated under the permit is covered by
26 an insurance policy that meets the requirements of ORS 806.080 and will
27 continue to be covered by the policy for as long as the permit is valid. The
28 [*statement shall*] **proof must** include the name of the insurer and the policy
29 number. The Department of Transportation or, if the permit is issued under
30 ORS 803.600 (2), the person with the vehicle dealer certificate or towing

1 business certificate shall refuse to issue a permit to a person who does not
2 [*submit the statement*] **present the proof** required by this section.

3

4

“REGISTRATION

5

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

7 “803.360. (1) [*No person may*] **A person may not** register or renew the
8 registration of a vehicle in this state unless the person is domiciled in this
9 state, as described in ORS 803.355. This section does not apply to persons
10 required by ORS 803.200 or any other provision of law, to register vehicles
11 in this state.

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

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

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

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

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

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

22 “803.565. (1) Except as provided in subsections (2) and (3) of this section,
23 when a person who has a vehicle dealer certificate issued under ORS 822.020
24 or a towing business certificate issued under ORS 822.205 sells a motor ve-
25 hicle that has valid Oregon registration plates, the person shall remove the
26 registration stickers from the registration plates of the vehicle if the vehicle:

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

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

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

30 “(2) A person who has a vehicle dealer certificate issued under ORS

1 822.020 need not remove registration stickers under subsection (1) of this
2 section if:

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

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

7 “(3) A person who has a towing business certificate issued under ORS
8 822.205 need not remove registration stickers under subsection (1) of this
9 section if the person sells the vehicle to a person who has a vehicle dealer
10 certificate issued under ORS 822.020 or to a person who has a dismantler
11 certificate issued under ORS 822.110.

12

13 **“REAL ID**

14

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

17 “807.130. (1) A license that is issued as an original license and not as a
18 license that is renewed expires on the anniversary of the licensee’s birthday
19 in the eighth calendar year after the year of issuance.

20 “(2) A license that is renewed under ORS 807.150 expires eight years from
21 the specified expiration date of the immediately preceding license.

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

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

5 “[~~(5)~~ *Notwithstanding subsection (4) of this section, a Real ID issued to a*
6 *person who is a citizen of a country with a Compact of Free Association with*
7 *the United States expires on the date the licensee is no longer authorized to*
8 *stay in the United States, as indicated by the documentation the person pre-*
9 *vented to the department or, if there is no definite end to the authorized stay,*
10 *after a period of one year.*]

11 “[~~(6)~~] **(5)** A license that has expired does not grant driving privileges and
12 is not valid evidence of driving privileges.

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

14 “807.480. (1) The Department of Transportation shall verify an applicant’s
15 Social Security number before issuing an original or renewal Real ID.

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

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

21 “(4) Notwithstanding the requirements of subsections (2) and (3) of this
22 section, the department may verify the lawful status in the United States of
23 any applicant applying for renewal or replacement of a Real ID, as deter-
24 mined by the department by rule.

25 **“(5) The department shall determine, by rule, expiration dates for**
26 **a Real ID issued to a person who is not a citizen or permanent legal**
27 **resident of the United States. To the extent possible, rules adopted by**
28 **the department under this section must be uniform with any applica-**
29 **ble federal regulations related to Real ID.**

30

1 **“SURCHARGE FOR TRANSACTIONS**

2
3 **“SECTION 35.** ORS 802.112 is amended to read:

4 “802.112. The Department of Transportation may impose a surcharge on
5 any fee the department is authorized to collect if the fee is imposed for a
6 transaction that can be accomplished by a customer of the department in
7 more than one way and the customer chooses the more expensive way. A
8 surcharge imposed under this section may **be added to the amount**
9 **tendered by the customer to offset fees charged to the department for**
10 **acceptance and use of a credit card** *[not exceed the lesser of the additional*
11 *cost to the department, rounded to the nearest dollar, or \$10]. [No] A* surcharge
12 may **not** be imposed under this section until the department adopts rules
13 specifying transactions for which the surcharge will be imposed.

14
15 **“REPEAL**

16
17 **“SECTION 36.** ORS 806.160 is repealed.

18
19 **“OPERATIVE DATES**

20
21 **“SECTION 37.** (1) The amendments to ORS 802.010, 802.112, 802.200,
22 802.210, 803.360, 803.565, 803.460, 803.600, 803.602, 806.050, 806.180, 806.240,
23 806.300, 807.160, 807.400, 807.560, 809.430, 811.180, 811.725, 811.735, 813.410
24 and 826.031 by sections 2, 3, 5, 7 to 9, 13 to 17, 19, 21, 22, 24 to 27, 29 to
25 32 and 35 of this 2019 Act and the repeal of ORS 806.160 by section 36
26 of this 2019 Act become operative on January 1, 2020.

27 “(2) The amendments to ORS 806.150, 806.220, 806.245, 807.130, 807.140,
28 807.480, 809.090, 809.380, 809.415, 809.416 and 809.450 by sections 1, 4, 6,
29 10 to 12, 20, 23, 28, 33 and 34 of this 2019 Act become operative on July
30 1, 2020.

