

SB 840 -8 STAFF MEASURE SUMMARY

Joint Committee On Transportation

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Meeting Dates: 2/3, 2/18, 4/21

WHAT THE MEASURE DOES:

Modifies and adds to statutes related to regulation of vehicle drivers, vehicles, vehicle dealers, and vehicle dismantlers.

Detailed Summary

Drivers: Senate Bill 840 deletes provision prohibiting person who failed the on-road test while holding an instruction permit from retaking the test for at least one month; authorizes use of third-party self-service kiosks for any driver-related transaction (and related processing of fees or taxes) for which ODOT is responsible; expands authority to issue valid driver license to spouses and dependents of Armed Forces members without acceptable photograph; requires person whose license is revoked or cancelled to return the license or permit to the Department; designates false swearing in support of another person's application for a driver license or permit, or who takes a test on behalf of another for such license or permit, as a Class A misdemeanor; clarifies the Department, when issuing a hardship permit, may only issue to an individual eligible for reinstatement of driving privileges and with required proof of treatment and installation and use of ignition interlocks; authorizes the Department to share digital images of drivers and their signatures to driver licensing agencies in other jurisdictions; clarifies that persons denied renewal of commercial driving privileges, or whose privileges are revoked or suspended, are entitled to administrative review.

Vehicles: Senate Bill 840 clarifies that VIN inspection does not apply to park model recreational vehicles or former park model recreational vehicles; increases the value of towed vehicles for which a tower has a lien from \$500 to \$1,000.

Vehicle Dealers and Dismantlers: Senate Bill 840 requires that vehicle dealers who are designated as agents of the Department for vehicle document transactions conduct a vehicle title search using the National Motor Vehicle Title Information System before finalizing a sales transaction; authorizes dealer agents to perform all activities thereof without first obtaining a supplemental certificate if conducted entirely online or by electronic means; clarifies authority of Department to revoke or suspend right to renew dealer certificate or dismantler certificate, or to apply for a new certificate for a different dealer business or under a different business name; increases bond requirement for vehicle dealers from \$10,000 to \$20,000 for motorcycles or other small vehicles, and from \$50,000 to \$100,000 for other vehicle dealers; increases maximum amount available under bond for victims from \$10,000 to \$20,000 per aggrieved party; revises terms of offense of insurer failure to follow procedures for a totaled vehicle; clarifies that dismantler must notify Department of acquisition of destroyed vehicle within seven days of acquisition, and to National Motor Vehicle Titling Information System within 30 days.

ISSUES DISCUSSED:

- Introduction of self-serve kiosks for DMV transactions
- impact of increase of proposed dealer bond requirements

EFFECT OF AMENDMENT:

-8 Deletes requirement that photograph on issued driver license be in color. Clarifies conditions warranting administrative review when commercial driving privileges are suspended. Modifies provisions under which a vehicle dealer preparing DMV documents must conduct vehicle searches and the method of those searches. Retains current statutory bond or letter of credit requirements at \$10,000 for motorcycle/ATV dealers and at \$50,000 for vehicle dealers, and retains current level of \$10,000 for maximum claim against bond or letter of credit. Retains existing statutory language for ORS 819.014 (offense of insurer failure to follow procedures for a totaled vehicle). Repeals ORS 806.220 (failure to file after failing verification).

Requires ODOT to maintain suitable records of all identification cards that have been suspended, revoked or cancelled. Permits ODOT to establish and maintain driving records for persons without an Oregon driving record when the Department requests or receives information ordinarily maintained in a driving record. Adds requirement that ODOT maintain, as part of individuals' driving record, the right to apply for driving privileges. Permits ODOT to furnish driving record maintained under ORS 802.200 to another jurisdiction upon request by that jurisdiction. Specifies conditions under which ODOT shall suspend commercial driving privileges upon notice of conviction in another jurisdiction for offense that would be grounds for suspension in Oregon.

BACKGROUND:

The Driver and Motor Vehicle Services Division (DMV) of the Oregon Department of Transportation (ODOT) is Oregon agency delegated the responsibility of regulating drivers and vehicles for the State of Oregon. The agency also regulates businesses such as vehicle dealers, vehicle dismantlers, and vehicle wreckers, as those businesses typically deal with motor vehicles and their components.

Senate Bill 840 makes a number of statutory modifications related to vehicles, vehicle drivers, and vehicle dealers and dismantlers.