

SB 840 A STAFF MEASURE SUMMARY**Carrier:** Sen. Meek**Joint Committee On Transportation****Action Date:** 05/19/25**Action:** Do pass with amendments. (Printed A-Eng.)**Senate Vote****Yeas:** 5 - Gorsek, Meek, Pham, Starr, Weber**House Vote****Yeas:** 6 - Boshart Davis, Gamba, Helfrich, Mannix, McLain, Nathanson**Exc:** 1 - Evans**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact, statement issued (Indeterminate Impact)**Prepared By:** Patrick Brennan, LPRO Analyst**Meeting Dates:** 2/3, 2/18, 4/21, 5/13, 5/19**WHAT THE MEASURE DOES:**

The measure modifies and adds to statutes related to regulation of vehicle drivers, vehicles, vehicle dealers, and vehicle dismantlers.

Detailed Summary

Drivers: 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 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; deletes the requirement that the photograph on issued driver licenses be in color; 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.

Commercial Drivers: Clarifies conditions warranting administrative review when commercial driving privileges are suspended; 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.

Vehicles: 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: Requires vehicle dealers designated as agents of the Department for vehicle document transactions to 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

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obtaining a supplemental certificate if conducted entirely online or by electronic means; clarifies the right of the Department to revoke or suspend the right to a new dealer certificate or dismantler certificate, or to apply for a new certificate for a different dealer business or under a different business name; requires dismantler to immediately file with Department upon transfer of a wrecked or dismantled vehicle to another person holding a dismantler certificate.

Emission Certificates: Allows temporary registration permits to be issued by Oregon Department of Transportation for vehicles that do not have proof of emissions compliance at the time a vehicle is sold; requires written notice be provided to purchaser along with temporary permit informing purchaser that the vehicle is subject to pollution control equipment requirements, that the purchaser is required to comply with ORS 815.295 before the temporary permit expires, that the vehicle may not be registered in Oregon unless proof of compliance is provided, that the purchaser immediately notify the vehicle dealer if the vehicle fails to pass testing and is thus not issued proof of compliance, that the dealer is required to ensure compliance with pollution control requirements, and that after compliance is satisfied the vehicle dealer has no obligation to ensure compliance with testing requirements in the future.

ISSUES DISCUSSED:

- Introduction of self-serve kiosks for DMV transactions
- Impact of increase of proposed dealer bond requirements
- Provisions of amendments not adopted
- Selling a used vehicle that does not initially comply with environmental equipment standards

EFFECT OF AMENDMENT:

The amendment modifies provisions of the base bill covering vehicle title searches and vehicle dismantlers, repeals ORS 806.220, and adds provisions covering driving record content and sharing, suspension of commercial driving privileges, and issuance of registration permits pursuant to pollution control regulations.

Detailed Summary:

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 title 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.

Deletes most provisions from measure related to vehicle dismantlers.

Adds sections allowing temporary registration permits to be issued by Oregon Department of Transportation for vehicles that do not have proof of emissions compliance at the time a vehicle is sold. Requires written notice be provided along with temporary permit informing purchaser that the vehicle is subject to pollution control equipment requirements, that the purchaser is required to comply with ORS 815.295 before the temporary permit expires, that the vehicle may not be registered in Oregon unless proof of compliance is provided, that the

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purchaser immediately notify the vehicle dealer if the vehicle fails to pass testing and is thus not issued proof of compliance, that the dealer is required to ensure compliance with pollution control requirements, and that after compliance is satisfied the vehicle dealer has no obligation to ensure compliance with testing requirements in the future.

BACKGROUND:

The Driver and Motor Vehicle Services Division (DMV) of the Oregon Department of Transportation (ODOT) is the 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 A makes a number of statutory modifications related to vehicles, vehicle drivers, and vehicle dealers and dismantlers.