

House Bill 2663

Sponsored by Representative EVANS (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that a car dealer may give a short-term permit for a car that does not have proof it is following pollution control rules at the time the car is sold. The car dealer must tell the buyer that ODOT will not give the buyer a license plate and stickers unless the buyer has proof that the car meets these rules. (Flesch Readability Score: 68.7).

Permits a vehicle dealer to issue temporary registration permits for motor vehicles that do not have proof of compliance with pollution control equipment requirements. Requires the dealer to give written notice to a purchaser that the Department of Transportation will not issue stickers, registration and plates unless proof of compliance is provided.

A BILL FOR AN ACT

1 Relating to motor vehicles; amending ORS 803.350 and 803.625.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1.** ORS 803.350 is amended to read:

4 803.350. This section establishes the requirements for qualification for registration. The De-
5 partment of Transportation may not issue registration to a vehicle if the requirements under this
6 section are not met. The department, in the absence of just cause for refusing to register a vehicle
7 upon application, shall assign a distinctive number or other distinctive means of identification and
8 shall issue registration for a vehicle if all of the following requirements are met:

9 (1) The applicant applies for and is granted title in the applicant's name at the same time the
10 person makes application for registration, or presents satisfactory evidence that title covering the
11 vehicle has been previously issued to the applicant.

12 (2) The applicant completes an application described under ORS 803.370. If the vehicle is a re-
13 constructed or assembled vehicle or a replica, the person must indicate that fact in the application
14 or be subject to ORS 803.225.

15 (3) The applicant pays the department the registration fee established under ORS 803.420 and
16 803.422 and any applicable fees for issuance of registration plates.

17 (4) For motor vehicles, proof of compliance with pollution control equipment requirements is
18 provided to the department **before the department issues stickers, registration and**
19 **plates. Nothing in this subsection prohibits a vehicle dealer from issuing a temporary regis-**
20 **tration permit for a vehicle that does not have proof of compliance at the time the vehicle**
21 **is sold. The dealer shall provide the purchaser with a written notice that the department**
22 **will not issue stickers, registration and plates unless proof of compliance is provided before**
23 **the expiration of the temporary registration permit.** Proof required to comply with this sub-
24 section is described under ORS 815.310. This subsection does not apply if the vehicle is exempt from
25 the requirements for proof of compliance under ORS 815.300.

26 (5) The applicant is domiciled in this state, as described in ORS 803.355, if required by ORS
27

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 803.360 to be domiciled in the state in order to register a vehicle. If the department has reason to
 2 believe that the applicant is not domiciled in this state and is required to be in order to register a
 3 vehicle, the department may require the person to submit proof of domicile. The department shall
 4 determine by rule what constitutes proof of domicile.

5 (6) The applicant owns a vehicle that qualifies under ORS 803.360 (2) for registration in this
 6 state, if the owner is not domiciled in this state and is not required by ORS 803.200, or any other
 7 provision of law, to register the vehicle in this state.

8 (7) The applicant surrenders all evidence of any former registration or title as required by ORS
 9 803.380.

10 (8)(a) Beginning with 2009 model year new motor vehicles, the applicant provides proof of com-
 11 pliance with low emission motor vehicle standards adopted pursuant to ORS 468A.360. The depart-
 12 ment shall determine by rule what constitutes proof of compliance with low emission motor vehicle
 13 standards.

14 (b) The department shall determine by rule which new motor vehicles are exempt from the re-
 15 quirements of this subsection. Any rules adopted pursuant to this paragraph shall be consistent with
 16 the Environmental Quality Commission standards adopted pursuant to ORS 468A.360.

17 (c) For purposes of this subsection, “new motor vehicle” means a motor vehicle with 7,500 miles
 18 or less on the odometer when the vehicle is initially registered under ORS 803.420 (6)(a), 805.100,
 19 805.110 or 805.120.

20 (9) If required to do so by the department, the applicant provides the department with satisfac-
 21 tory proof that the vehicle was designed to be operated on highways and meets equipment require-
 22 ments imposed by statute or rule for the lawful operation of a vehicle on highways. The department
 23 may adopt rules specifying the kinds of vehicles that are subject to this subsection and what con-
 24 stitutes satisfactory proof under this subsection.

25 **SECTION 2.** ORS 803.625 is amended to read:

26 803.625. (1) The holder of a current, valid vehicle dealer certificate issued under ORS 822.020
 27 may issue temporary **registration** permits for the operation of vehicles or the transporting of a
 28 camper pending the receipt of permanent registration from the Department **of Transportation**.

29 (2) Forms for temporary **registration** permits issued under this section shall be furnished and,
 30 subject to ORS 803.640, prescribed by the Department **of Transportation**.

31 (3) **A vehicle dealer may issue a temporary registration permit for motor vehicles that**
 32 **do not have proof of compliance with pollution control equipment requirements. The dealer**
 33 **shall provide the purchaser with a written notice that the department will not issue stickers,**
 34 **registration and plates unless proof of compliance is provided before the expiration of the**
 35 **temporary registration permit.**

36 [(3)] (4) The department shall specify, by rule, the procedures to be followed by persons issuing
 37 and using temporary **registration** permits issued under this section. Persons violating rules estab-
 38 lished by the department under this subsection are subject to penalty under ORS 803.630 and
 39 803.635.