

# House Bill 2671

Sponsored by Representative RUIZ, Senator CAMPOS; Representatives BOWMAN, NGUYEN D, NOSSE, Senator GORSEK (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 permits the testing of automated vehicles on highways of this state. Directs ODOT to adopt rules to carry out the Act. (Flesch Readability Score: 66.4).

Permits the testing of highly automated vehicles on highways of this state under certain circumstances. Prescribes the testing permit application requirements. Directs automated vehicle manufacturers to obtain additional umbrella liability insurance policies prior to testing. Directs the Department of Transportation to adopt rules for the testing of highly automated vehicles on the highways of this state. Permits the department to grant automated vehicle manufacturers that are testing highly automated vehicles exemptions to state equipment requirements. Imposes a civil penalty for testing a highly automated vehicle without a testing permit. Requires automated vehicle manufacturers to provide to the department reports on collisions and necessary disengagements that involve highly automated vehicles.

Creates the offense of testing a highly automated vehicle without a testing permit or sticker. Punishes by a maximum fine of \$500.

Defines "testing operator" to include both an onboard operator and a remote operator of a highly automated vehicle. Requires a testing operator to monitor the operation of a test vehicle at all times and to be prepared to take control of the test vehicle if necessary. Identifies the testing operator as the operator or driver of a highly automated vehicle for purposes of certain provisions.

Exempts persons testing highly automated vehicles without an onboard operator on highways of this state from certain provisions of the Oregon Vehicle Code if the manufacturer has a valid testing permit.

Directs the department to submit a report on the performance of highly automated vehicle technologies to the interim committees of the Legislative Assembly related to transportation not later than November 15, 2032.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to highly automated vehicles; creating new provisions; amending ORS 192.355, 366.505, 801.026, 805.200, 806.080, 807.020 and 811.507; and prescribing an effective date.

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

## TESTING PERMIT

**SECTION 1. Sections 2 to 13 of this 2025 Act are added to and made a part of the Oregon Vehicle Code.**

**SECTION 2. Definitions. As used in sections 2 to 13 of this 2025 Act:**

(1) "Automated driving system" means the hardware and software installed on a motor vehicle that are collectively capable of performing the dynamic driving task on a sustained basis for at least part of the motor vehicle's trip.

(2) "Automated mode" means the status of a highly automated vehicle when it is operating with the automated driving system engaged.

(3) "Automated vehicle manufacturer" means any person that builds highly automated vehicles or installs automated driving systems in motor vehicles that were not originally

**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 built as highly automated vehicles.

2 (4) “Conventional mode” means the status of a highly automated vehicle when it is under  
 3 the active physical control of a natural person operating the motor vehicle with the auto-  
 4 mated driving system disengaged.

5 (5)(a) “Dynamic driving task” means the real-time operational and tactical functions re-  
 6 quired to operate a motor vehicle on a public highway or on premises open to the public.

7 (b) “Dynamic driving task” includes but is not limited to monitoring the driving envi-  
 8 ronment and executing appropriate responses to objects and events.

9 (c) “Dynamic driving task” does not include trip planning, including decisions regarding  
 10 whether, when and where to go or the route to take.

11 (6) “Highly automated vehicle” means a motor vehicle equipped with an automated driv-  
 12 ing system.

13 (7) “Minimal risk condition” means a condition to which an onboard operator, a remote  
 14 operator or an automated driving system may bring a highly automated vehicle to reduce the  
 15 risk of a collision when a given trip cannot or should not be completed.

16 (8)(a) “Onboard operator” means a natural person who is seated in a highly automated  
 17 vehicle and is able to assume control of and operate the highly automated vehicle.

18 (b) “Onboard operator” includes a remote operator who is seated in the highly automated  
 19 vehicle.

20 (9) “Operational design domain” means the conditions for which a highly automated ve-  
 21 hicle is specifically designed to function, including but not limited to environmental, ge-  
 22 ographic and time-of-day restrictions, and the requisite presence or absence of certain traffic  
 23 or roadway characteristics.

24 (10) “Remote operator” means a natural person who is not seated in a position to phys-  
 25 ically engage in-vehicle braking, accelerating, steering and transmission gear selection input  
 26 devices but is able to assume control of and operate the highly automated vehicle remotely.

27 (11) “Testing operator” means an onboard operator or a remote operator of a test vehi-  
 28 cle, whether the vehicle is in automated mode or conventional mode.

29 (12) “Test vehicle” means a highly automated vehicle that is undergoing testing described  
 30 in section 4 of this 2025 Act.

31 **SECTION 3. Levels of driving automation.** The Department of Transportation, by rule,  
 32 taking into consideration the recommendations in the Society of Automotive Engineers’  
 33 “Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road  
 34 Motor Vehicles, Standard J3016,” April 2021 Edition, shall define the driving automation lev-  
 35 els of automated driving systems.

36 **SECTION 4. Testing highly automated vehicles.** An automated vehicle manufacturer tests  
 37 a highly automated vehicle when the manufacturer’s employees, contractors or designees  
 38 operate a highly automated vehicle on the highways of this state for the purpose of assess-  
 39 ing, demonstrating or validating the capabilities of the highly automated vehicle’s automated  
 40 driving system.

41 **SECTION 5. Testing permit.** (1) Prior to testing highly automated vehicles, as described  
 42 in section 4 of this 2025 Act, an automated vehicle manufacturer shall apply to the Depart-  
 43 ment of Transportation for a testing permit.

44 (2) An application submitted under this section may apply to the manufacturer’s testing  
 45 of one or more highly automated vehicles.

1       **(3) An application submitted under this section must:**

2       **(a) Establish, at a minimum, that:**

3       **(A) Each highly automated vehicle and automated driving system meets all requirements**  
4 **of section 7 of this 2025 Act; and**

5       **(B) Each highly automated vehicle will be operated only in the manner prescribed by**  
6 **sections 2 to 13 of this 2025 Act and any rules adopted by the department under sections 2**  
7 **to 13 of this 2025 Act; and**

8       **(b) Include, at a minimum, the following:**

9       **(A) Contact information of the automated vehicle manufacturer, any other testing entity,**  
10 **registered agents and the facility used by the automated vehicle manufacturer.**

11       **(B) Vehicle information for each highly automated vehicle, including vehicle identification**  
12 **number, year, make, model, license plate number, vehicle type and driving automation level**  
13 **as defined by the department under section 3 of this 2025 Act.**

14       **(C) A description of the operational design domain of each highly automated vehicle and**  
15 **the conditions under which testing will be conducted, including the geographic testing area.**

16       **(D) Testing operator information, including name, date of birth, driver license number**  
17 **and the name of the state that issued the license.**

18       **(E) Information regarding the automated vehicle manufacturer's testing in any other**  
19 **jurisdictions.**

20       **(F) Any additional information required by the department by rule.**

21       **(4) An automated vehicle manufacturer must submit each of the following with an ap-**  
22 **plication submitted under this section:**

23       **(a) The testing permit fee described in subsection (5) of this section.**

24       **(b) Proof of liability insurance meeting at least the minimum financial responsibility re-**  
25 **quirements under ORS chapter 806, and an additional umbrella liability insurance policy in**  
26 **an amount of not less than \$5 million per event.**

27       **(c) The following self-certifications:**

28       **(A) That each automated driving system is engineered to perform in all real-world con-**  
29 **ditions in which the automated vehicle manufacturer intends to test the highly automated**  
30 **vehicles.**

31       **(B) That each highly automated vehicle complies with all applicable Federal Motor Vehi-**  
32 **cle Safety Standards for new motor vehicles and new motor vehicle equipment or, if not, that**  
33 **an exemption has been granted by the National Highway Traffic Safety Administration or by**  
34 **provision of federal law.**

35       **(C) That each highly automated vehicle is capable of complying with all state vehicle laws**  
36 **or, if not, that an exemption has been granted by the department.**

37       **(D) That each highly automated vehicle is capable of complying with all state rules of the**  
38 **road within its operational design domain.**

39       **(E) That each highly automated vehicle has a mechanism to engage and disengage the**  
40 **automated driving system that is easily accessible to the testing operator.**

41       **(F) That each highly automated vehicle has an indicator inside the cabin to indicate when**  
42 **the automated driving system is engaged.**

43       **(G) That a testing operator will be ready to assume control or have the highly automated**  
44 **vehicle achieve minimal risk condition at all times.**

45       **(H) That each highly automated vehicle meets all appropriate and applicable current in-**

1 **dustry standards or policies to defend against, detect and respond to cyberattacks, unau-**  
 2 **thorized intrusions or false vehicle control commands.**

3 **(I) That each testing operator meets the requirements under section 8 of this 2025 Act.**

4 **(J) That each highly automated vehicle is capable of complying with all local rules of the**  
 5 **road within its operational design domain.**

6 **(5)(a) A testing permit fee is \$3,600 and is due when an automated vehicle manufacturer**  
 7 **submits the testing permit application and when the automated vehicle manufacturer renews**  
 8 **the testing permit.**

9 **(b) Each testing permit application or renewal is subject to one testing permit fee, re-**  
 10 **gardless of the number of highly automated vehicles disclosed in the application or renewal.**

11 **(6)(a) The department may approve an application for and issue a testing permit under**  
 12 **this section only if the automated vehicle manufacturer has made all of the self-certifications**  
 13 **required under subsection (4) of this section.**

14 **(b) The department, at its discretion, may require an automated vehicle manufacturer**  
 15 **to provide nonconfidential documents and records supporting the automated vehicle**  
 16 **manufacturer's self-certifications required under subsection (4) of this section.**

17 **(7)(a) The department may deny an application for a testing permit under this section**  
 18 **and may suspend, revoke or refuse to renew any testing permit issued under this section**  
 19 **upon determining that the applicant for or holder of the testing permit has done any of the**  
 20 **following:**

21 **(A) Used fraud or deception in attempting to obtain or in securing the testing permit.**

22 **(B) Failed to maintain the amounts and types of insurance required under subsection (4)**  
 23 **of this section.**

24 **(C) Violated any provision of sections 2 to 13 of this 2025 Act or any rules adopted by the**  
 25 **department implementing sections 2 to 13 of this 2025 Act.**

26 **(b) The department's denial of an application for a testing permit or suspension or re-**  
 27 **vocation of, or refusal to renew, a testing permit issued under this section is subject to re-**  
 28 **view in the manner prescribed under ORS chapter 183 for contested cases.**

29 **(8) Prior to making any changes to a highly automated vehicle's driving automation level,**  
 30 **adding any testing operators or altering any testing conditions, including the geographic**  
 31 **testing area, an automated vehicle manufacturer that has submitted an application for a**  
 32 **testing permit under this section shall provide notice of the changes to the department and**  
 33 **to any local government, as defined in ORS 174.116, in whose jurisdiction the manufacturer**  
 34 **will conduct testing.**

35 **(9) A testing permit issued under this section expires two years after the date of issu-**  
 36 **ance.**

37 **(10) A testing permit described in this section is in addition to and not in lieu of any**  
 38 **other registration, title or driving privileges required to operate a vehicle on the highways**  
 39 **of this state.**

40 **SECTION 6. Rules. (1) The Department of Transportation shall adopt rules for testing**  
 41 **highly automated vehicles under sections 2 to 13 of this 2025 Act.**

42 **(2) The rules adopted under this section must prescribe the form and requirements for**  
 43 **applications under section 5 of this 2025 Act.**

44 **(3) The rules adopted under this section may provide for renewal, suspension, revocation**  
 45 **or denial of testing permits issued under section 5 of this 2025 Act.**

1 (4) The rules adopted under this section may not establish a new class of license or  
2 endorsement for testing highly automated vehicles.

3 **SECTION 7. Test vehicle requirements.** A highly automated vehicle may be tested on the  
4 highways of this state only if all of the following requirements are met:

5 (1) The automated vehicle manufacturer has a valid testing permit issued under section  
6 5 of this 2025 Act.

7 (2) The highly automated vehicle complies with:

8 (a) All applicable Federal Motor Vehicle Safety Standards for new motor vehicles and new  
9 motor vehicle equipment or, if not, an exemption has been granted by the National Highway  
10 Traffic Safety Administration or by provision of federal law; and

11 (b) All state vehicle laws or, if not, an exemption has been granted by the Department  
12 of Transportation.

13 (3) The testing operator:

14 (a) Meets all of the requirements under section 8 of this 2025 Act;

15 (b) Is monitoring the operation of the highly automated vehicle at all times and, in the  
16 event of a failure of the automated driving system or other emergency, is capable of as-  
17 suming immediate control of the dynamic driving tasks as an onboard operator or as a re-  
18 mote operator; and

19 (c)(A) Is seated in the driver's seat of the highly automated vehicle if the highly auto-  
20 mated vehicle is equipped with an automated driving system that has a driving automation  
21 system that requires a natural person to be in the vehicle and prepared to respond if the  
22 vehicle requests that the person intervene; or

23 (B) Is seated in the driver's seat of the highly automated vehicle if the vehicle has a  
24 gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds.

25 (4) The highly automated vehicle is equipped with all of the following:

26 (a) A mechanism to engage the automated driving system that is easily accessible to the  
27 testing operator.

28 (b) Multiple different mechanisms to disengage the automated driving system that are  
29 easily assessible to the testing operator and inform the testing operator that the automated  
30 driving system is disengaged.

31 (c) An indicator that informs the testing operator when the automated driving system  
32 is engaged.

33 (d) A system to preserve and store data from a crash or similar event in a manner and  
34 for a length of time defined by the department by rule.

35 (e) A failure alert system that:

36 (A) Notifies the testing operator if a system failure is detected;

37 (B) Clearly indicates when the automated driving system is disengaged; and

38 (C) Allows the testing operator to assume immediate control of the highly automated  
39 vehicle, or to have the vehicle achieve minimal risk condition, at all times.

40 (f) A system to bring the highly automated vehicle to a complete stop if the testing op-  
41 erator does not or is unable to assume control of the vehicle.

42 **SECTION 8. Testing operators.** (1) A person may be a testing operator only if the person:

43 (a) Is a natural person;

44 (b) Is an employee, contractor or other designee of an automated vehicle manufacturer;

45 (c) Has passed a criminal background check; and

1 (d) Meets any other requirements established by the Department of Transportation by  
2 rule.

3 (2)(a) A person may not be a testing operator if the person has been convicted of a traffic  
4 crime or violation, or entered into a diversion program for a traffic crime or violation, within  
5 a period of time prescribed by the department by rule.

6 (b) The department, by rule, shall identify the traffic crimes and violations that disqualify  
7 a person from becoming a testing operator. Disqualifying traffic crimes or violations under  
8 this subsection may not include parking or pedestrian offenses or bicycling offenses, exclu-  
9 sive of a conviction, or entry into a diversion program, for driving under the influence of  
10 intoxicants.

11 (3) A testing operator must possess the proper class of license or endorsement for the  
12 type of highly automated vehicle being tested.

13 (4) A testing operator is subject to the provisions applicable to, and has the same rights  
14 and duties as, the operator of any other motor vehicle operating on the highways of this  
15 state except:

16 (a) Those provisions that by their very nature can have no application.

17 (b) When otherwise specifically provided under the Oregon Vehicle Code.

18 **SECTION 9. Manufacturer reporting requirements.** (1) As used in this section:

19 (a) "Necessary disengagement" means a deactivation of a highly automated vehicle's au-  
20 tomated driving system while on a public way in this state due to:

21 (A) A need for human intervention; or

22 (B) The automated driving system no longer being able to perform dynamic driving tasks.

23 (b) "Traffic citation" does not include a citation related to parking, except for a citation  
24 for parking in a manner that obstructs public transportation.

25 (c) "Vehicle immobilization" means an unintended stop on a public way due to an auto-  
26 mated driving system no longer being able to perform dynamic driving tasks.

27 (2)(a) An automated vehicle manufacturer shall provide to the Department of Transpor-  
28 tation a report on any collision that:

29 (A) Involves a highly automated vehicle of the automated vehicle manufacturer if, at the  
30 time of collision, the highly automated vehicle was in automated mode on a public way in this  
31 state.

32 (B) Involves a highly automated vehicle of the automated vehicle manufacturer having  
33 a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds regardless of  
34 whether the highly automated vehicle was in automated mode or conventional mode at the  
35 time of the collision.

36 (b) The report required under this subsection must be provided to the department within  
37 10 days of the collision and include:

38 (A) A detailed narrative of the collision;

39 (B) The number of people involved;

40 (C) A description of any death, injury or damage resulting from the collision;

41 (D) The road and traffic conditions at the time of the collision;

42 (E) Any interactions with users of the public way or obstacles present;

43 (F) The testing permit number for the highly automated vehicle;

44 (G) The vehicle identification number for the highly automated vehicle;

45 (H) Whether an onboard operator was present;

- 1       **(I) The location of the collision;**  
 2       **(J) The date and time of the collision; and**  
 3       **(K) Any other information the automated vehicle manufacturer reported to the National**  
 4 **Highway Traffic Safety Administration, except personal information.**
- 5       **(3) An automated vehicle manufacturer shall provide to the department an annual report**  
 6 **on all necessary disengagements involving a highly automated vehicle of the automated ve-**  
 7 **hicle manufacturer that occurred within the previous 12 months. The report must include**  
 8 **for each necessary disengagement:**
- 9       **(a) The location where the necessary disengagement occurred;**  
 10       **(b) Whether an onboard operator was present;**  
 11       **(c) If applicable, who initiated the necessary disengagement;**  
 12       **(d) The weather, road and traffic conditions at the time of the necessary disengagement;**  
 13       **(e) A description of the facts and circumstances surrounding the necessary disengage-**  
 14 **ment; and**  
 15       **(f) A description of what caused the necessary disengagement.**
- 16       **(4) An automated vehicle manufacturer shall provide to the department a quarterly re-**  
 17 **port summarizing, in a tabular format, vehicle miles traveled for all highly automated vehi-**  
 18 **cles of the automated vehicle manufacturer that were involved in a collision as reported**  
 19 **under subsection (2) of this section during the previous three months. The report must in-**  
 20 **clude for each highly automated vehicle:**
- 21       **(a) The name of the automated vehicle manufacturer;**  
 22       **(b) The testing permit number;**  
 23       **(c) The vehicle identification number;**  
 24       **(d) The location, date and time of the collision;**  
 25       **(e) The total vehicle miles traveled on a public way, by county;**  
 26       **(f) The total vehicle miles traveled on a public way while in conventional mode;**  
 27       **(g) The total vehicle miles traveled on a public way while in automated mode with an**  
 28 **onboard operator; and**  
 29       **(h) The total vehicle miles traveled on a public way while in automated mode without an**  
 30 **onboard operator.**
- 31       **(5) An automated vehicle manufacturer shall provide to the department a quarterly re-**  
 32 **port summarizing, in a tabular format, all vehicle immobilizations of a highly automated**  
 33 **vehicle of the automated vehicle manufacturer that occurred during the previous three**  
 34 **months. The report must include for each highly automated vehicle:**
- 35       **(a) The name of the automated vehicle manufacturer;**  
 36       **(b) The testing permit number;**  
 37       **(c) The vehicle identification number;**  
 38       **(d) The weather, road and traffic conditions at the time of the vehicle immobilization;**  
 39       **(e) The location, date and time of the vehicle immobilization;**  
 40       **(f) The duration of the vehicle immobilization;**  
 41       **(g) Whether the vehicle immobilization obstructed a lane for all motor vehicles, a lane**  
 42 **for only public transportation, a bicycle lane, an intersection, railroad tracks, an emergency**  
 43 **vehicle or an emergency scene; and**  
 44       **(h) A narrative description of the vehicle immobilization, including how the vehicle**  
 45 **immobilization was resolved.**

1 (6) An automated vehicle manufacturer shall provide to the department a quarterly re-  
2 port summarizing, in a tabular format, all traffic citations that were issued in this state for  
3 a highly automated vehicle of the automated vehicle manufacturer during the previous three  
4 months. The report must include for each highly automated vehicle:

- 5 (a) The name of the automated vehicle manufacturer;
- 6 (b) The testing permit number;
- 7 (c) The vehicle identification number;
- 8 (d) The state or local traffic law or regulation that was the basis of the traffic citation;
- 9 (e) The reason for the traffic citation;
- 10 (f) Any actions taken by the automated vehicle manufacturer to contest or resolve the  
11 citation;
- 12 (g) Whether an onboard operator was present at the time of the traffic citation; and
- 13 (h) Whether the highly automated vehicle was in automated mode or conventional mode  
14 at the time of the violation.

15 (7) A report provided to the department under this section must be written in plain lan-  
16 guage and with sufficient detail that a person without expertise in the highly automated ve-  
17 hicle industry can understand the report.

18 (8) The department shall:

- 19 (a) Maintain all reports provided to the department under this section;
- 20 (b) Within 90 days of receiving a report under this section, make publicly available on the  
21 department’s website the report in a machine-readable format; and
- 22 (c) Redact, or require an automated vehicle manufacturer to redact, any information in  
23 a report under this section that is:
  - 24 (A) Personal information, as defined in ORS 802.175; or
  - 25 (B) A trade secret.

26 (9) The department may establish and assess fees to cover the costs incurred by the de-  
27 partment in carrying out the provisions of this section.

28 **SECTION 10. Liability of manufacturer.** If an automated driving system is installed in a  
29 motor vehicle by a person other than the person that originally manufactured the motor  
30 vehicle, the person that originally manufactured the motor vehicle is not liable to any person  
31 for injury, death or damage resulting from the failure of the automated driving system.

32 **SECTION 11. Penalties.** (1) If an automated vehicle manufacturer tests a highly auto-  
33 mated vehicle without obtaining a testing permit under section 5 of this 2025 Act, the De-  
34 partment of Transportation may assess a civil penalty up to \$100,000 per offense.

35 (2) A civil penalty imposed under subsection (1) of this section may be remitted or re-  
36 duced upon such terms and conditions as the department considers proper and consistent  
37 with the public health and safety.

38 **SECTION 12. Testing a highly automated vehicle without a testing permit or sticker.** (1)  
39 A person commits the offense of testing a highly automated vehicle without a testing permit  
40 or sticker if the person tests a highly automated vehicle as described in section 4 of this 2025  
41 Act without a testing permit issued under section 5 of this 2025 Act or, if applicable, a testing  
42 permit sticker prescribed by the Department of Transportation under ORS 805.200.

43 (2) The offense described in this section, testing a highly automated vehicle without a  
44 testing permit or sticker, is a Class C traffic violation.

45 **SECTION 13. Exemption to state equipment requirements.** The Department of Trans-

1 portation may grant an automated vehicle manufacturer that is or will be testing a highly  
2 automated vehicle, as described in section 4 of this 2025 Act, an exemption to any state  
3 equipment requirements under ORS chapter 815 or 816.

4 **SECTION 14. Driver and passenger of a highly automated vehicle.** (1) As used in this  
5 section, “dynamic driving task,” “highly automated vehicle” and “testing operator” have the  
6 meanings given those terms in section 2 of this 2025 Act.

7 (2) For the purposes of the laws of this state and any administrative rule adopted pur-  
8 suant to the laws, unless the context or a specifically applicable definition requires other-  
9 wise, while a highly automated vehicle is being tested as described in section 4 of this 2025  
10 Act:

11 (a) The testing operator is the driver or operator of the highly automated vehicle; and

12 (b) Any natural person, other than the testing operator, who is an occupant in the highly  
13 automated vehicle but who has no role in the dynamic driving task or other operation of the  
14 vehicle is a passenger.

15 **SECTION 15.** ORS 805.200 is amended to read:

16 805.200. (1) The Department of Transportation by rule:

17 (a) Shall design plates, stickers, plate and sticker combinations or other devices or indicia that  
18 distinguish government-owned vehicles registered under the provisions of ORS 805.040 from other  
19 vehicles.

20 (b) May design plates, stickers, plate and sticker combinations or other devices or indicia for  
21 distinguishing vehicles registered under specific provisions of the Oregon Vehicle Code other than  
22 ORS 805.040, 805.105 or 805.205. Plates designed under this paragraph shall comply with the re-  
23 quirements of ORS 803.535. The fees for plates or indicia described in this paragraph are provided  
24 under ORS 805.250.

25 (c) Shall prescribe the requirements for highly automated vehicle testing permit stickers  
26 that distinguish passenger vehicles, as defined by the department by rule, that are test ve-  
27 hicles, as defined in section 2 of this 2025 Act, from other passenger vehicles.

28 (2) Unless otherwise provided by statute or by rule of the department, indicia of registration  
29 that distinguish one kind of registration from another may not be transferred unless the new owner  
30 of the vehicle qualifies for that specific kind of registration.

31 (3) The department may adopt rules concerning the disposition of plates, stickers, devices or  
32 other indicia of registration upon transfer of ownership of the vehicle or when the owner or the  
33 vehicle is no longer eligible for the particular indicia. The department may cancel or revoke regis-  
34 tration for failure to comply with rules adopted under this section.

35  
36 **FINANCIAL RESPONSIBILITY**

37  
38 **SECTION 16.** ORS 806.080 is amended to read:

39 806.080. (1) A motor vehicle liability insurance policy used to comply with financial responsi-  
40 bility requirements under ORS 806.060 must meet all of the following requirements:

41 (a) It must be a policy or part of a policy designating, by explicit description or by appropriate  
42 reference, all motor vehicles for which coverage is provided by the policy.

43 (b) It must insure the named insured and all other persons insured under the terms of the policy  
44 against loss from the liabilities imposed by law for damages arising out of the ownership, operation,  
45 use or maintenance of those motor vehicles by persons insured under the policy. The policy must

1 include in its coverage all persons who, with the consent of the named insured, use the motor ve-  
 2 hicles insured under the policy, except for any person specifically excluded from coverage under  
 3 ORS 742.450.

4 (c) It must provide the minimum limits of coverage required under ORS 806.070.

5 **(2) If the motor vehicle liability insurance policy provides insurance for a highly auto-**  
 6 **ated vehicle, as defined in section 2 of this 2025 Act, the policy must expressly provide**  
 7 **coverage for the testing of a highly automated vehicle under sections 2 to 13 of this 2025 Act**  
 8 **and under any rules adopted by the Department of Transportation implementing the pro-**  
 9 **visions of sections 2 to 13 of this 2025 Act.**

10 [(2)] (3) The requirements for the insurance may be fulfilled by the policies of one or more in-  
 11 surance carriers which policies together meet such requirements.

12  
 13 **DRIVING PRIVILEGES, DUTIES AND RULES OF THE ROAD**

14  
 15 **SECTION 17.** ORS 801.026 is amended to read:

16 801.026. (1) Persons, motor vehicles and equipment employed or used by a public or telecommu-  
 17 nications utility, electric cooperative or by the United States, this state or any political subdivision  
 18 of this state are exempt from the provisions of the vehicle code specified in subsection (3) of this  
 19 section while on a highway and working or being used to service, construct, maintain or repair the  
 20 facilities of a utility.

21 (2) Persons, motor vehicles and equipment employed or being used in the construction or re-  
 22 construction of a street or highway are exempt from the provisions of the vehicle code specified in  
 23 subsection (3) of this section if:

24 (a) They are within the immediate construction project as described in the governmental agency  
 25 contract, if there is a contract; and

26 (b) The work is being done in an area that is signed in accordance with the manual adopted  
 27 under ORS 810.200.

28 (3) Persons, motor vehicles and equipment described in subsections (1) and (2) of this section are  
 29 exempt from provisions of the vehicle code relating to rules of the road as described in ORS chapter  
 30 811, except that this subsection does not apply to:

31 (a) Reckless driving, as defined in ORS 811.140.

32 (b) Driving while under the influence of intoxicants, as defined in ORS 813.010.

33 (c) Failure to perform the duties of a driver involved in a collision, as described in ORS 811.700  
 34 or 811.705.

35 (d) Criminal driving while suspended or revoked, as defined in ORS 811.182.

36 (e) Fleeing or attempting to elude a police officer, as defined in ORS 811.540.

37 (f) The provisions of ORS 811.145, 811.155, 811.170 and 811.175.

38 (4) Motor vehicles and equipment being used in the area and in the manner described in sub-  
 39 section (2) of this section are also exempt from the provisions of the vehicle code relating to vehicle  
 40 size and weight to the extent set out in the governmental agency contract.

41 (5) Devices moved exclusively on stationary rail tracks are exempt from the vehicle code.

42 (6) Devices that are powered exclusively by human power are not subject to those provisions  
 43 of the vehicle code that relate to vehicles. Notwithstanding this subsection, bicycles are generally  
 44 subject to the vehicle code as provided under ORS 814.400.

45 **(7)(a) Testing operators testing highly automated vehicles on the highways of this state,**

1 as described in section 4 of this 2025 Act, without an onboard operator are exempt from the  
 2 following provisions of the vehicle code if the automated vehicle manufacturer conducting  
 3 the testing has a valid testing permit issued by the Department of Transportation under  
 4 section 5 of this 2025 Act and the highly automated vehicle is operating within the geographic  
 5 testing area described in the testing permit:

6 (A) Failure to post warnings for a disabled vehicle, as described in ORS 811.530.

7 (B) Failure to carry a license or to present a license, as described in ORS 807.570.

8 (C) Failure to perform the duties of a driver described in ORS 811.700, 811.705, 811.710 and  
 9 811.715.

10 (b) Notwithstanding the exceptions under paragraph (a)(C) of this subsection, a testing  
 11 operator shall ensure that a highly automated vehicle remains at the scene of an accident  
 12 described in ORS 811.700 or 811.710 until a police officer has arrived and has received the  
 13 information required under ORS 811.700 or 811.710 or, if a police officer will not arrive at the  
 14 scene of the accident, until the information required under ORS 811.700 or 811.710 is con-  
 15 veyed to the other driver or any other person who is entitled to receive the information as  
 16 a result of the accident.

17 (c) As used in this subsection, “automated vehicle manufacturer,” “highly automated  
 18 vehicle,” “onboard operator” and “testing operator” have the meanings given those terms in  
 19 section 2 of this 2025 Act.

20 [(7)] (8) The exemptions in subsection (3) of this section do not apply to the persons and vehicles  
 21 when traveling to or from the facilities or construction project.

22 **SECTION 18.** ORS 807.020, as amended by section 3, chapter 12, Oregon Laws 2024, is amended  
 23 to read:

24 807.020. A person who is granted a driving privilege by this section may exercise the driving  
 25 privilege described without violation of the requirements under ORS 807.010. A grant of driving  
 26 privileges to operate a motor vehicle under this section is subject to suspension and revocation the  
 27 same as other driving privileges granted under the vehicle code. This section is in addition to any  
 28 exemptions from the vehicle code under ORS 801.026. The following persons are granted the de-  
 29 scribed driving privileges:

30 (1) A person who is not a resident of this state or who has been a resident of this state for less  
 31 than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person  
 32 holds a current out-of-state license issued to the person. For the purpose of this subsection, a person  
 33 is a resident of this state if the person meets the residency requirements described in ORS 807.062.  
 34 To qualify under this subsection, the person must have the out-of-state license or driver permit in  
 35 the person’s possession. A person is not granted driving privileges under this subsection:

36 (a) If the person is under the minimum age required to be eligible for driving privileges under  
 37 ORS 807.060;

38 (b) During a period of suspension or revocation by this state or any other jurisdiction of driving  
 39 privileges or of the right to apply for a license or driver permit issued by this state or any other  
 40 jurisdiction; or

41 (c) That exceed the driving privileges granted to the person by the out-of-state license or driver  
 42 permit.

43 (2) A person who is a member of the Armed Forces of the United States or a member of the  
 44 commissioned corps of the National Oceanic and Atmospheric Administration may operate a motor  
 45 vehicle without an Oregon license or driver permit if the person is operating a motor vehicle in the

1 course of the person's duties in the Armed Forces or the National Oceanic and Atmospheric Ad-  
2 ministration.

3 (3) A person without a license or driver permit may operate a road roller or road machinery  
4 that is not required to be registered under the laws of this state.

5 (4) A person without a license or driver permit may temporarily operate, draw, move or propel  
6 a farm tractor or implement of husbandry.

7 (5) A person without a license or driver permit may operate a motor vehicle to demonstrate  
8 driving ability during the course of an examination administered under ORS 807.070 for the purpose  
9 of qualifying for a license or driver permit. This subsection only applies when an authorized exam-  
10 iner is in a seat beside the driver of the motor vehicle.

11 (6) Driving privileges for snowmobiles are exclusively as provided in ORS 821.150.

12 (7) Driving privileges for Class I all-terrain vehicles are exclusively as provided in ORS 821.170,  
13 unless a person is operating a Class I all-terrain vehicle on an all-terrain vehicle highway access  
14 route that is designated by the Oregon Transportation Commission as open to all-terrain vehicles.

15 (8) Driving privileges for Class III all-terrain vehicles are exclusively as provided in ORS  
16 821.172, unless a person is operating a Class III all-terrain vehicle on an all-terrain vehicle highway  
17 access route that is designated by the commission as open to all-terrain vehicles.

18 (9) Driving privileges for Class IV all-terrain vehicles are exclusively as provided in ORS  
19 821.176, unless a person is operating a Class IV all-terrain vehicle on an all-terrain vehicle highway  
20 access route that is designated by the commission as open to all-terrain vehicles.

21 (10) A person without a license or driver permit may operate a golf cart in accordance with an  
22 ordinance adopted under ORS 810.070.

23 (11) The spouse of a member of the Armed Forces of the United States on active duty or the  
24 spouse of a member of the commissioned corps of the National Oceanic and Atmospheric Adminis-  
25 tration who is accompanying the member on assignment in this state may operate a motor vehicle  
26 if the spouse has a current out-of-state license or driver permit issued to the spouse by another state  
27 in the spouse's possession.

28 (12) A person who is a member of the Armed Forces of the United States on active duty or a  
29 member of the commissioned corps of the National Oceanic and Atmospheric Administration may  
30 operate a motor vehicle if the person has a current out-of-state license or driver permit in the  
31 person's possession that is issued to the person by the person's state of domicile or by the Armed  
32 Forces of the United States in a foreign country. Driving privileges described under this subsection  
33 that are granted by the Armed Forces apply only for a period of 45 days from the time the person  
34 returns to the United States.

35 (13) A person who does not hold a motorcycle endorsement may operate a motorcycle if the  
36 person is:

37 (a) Within an enclosed cab;

38 (b) Operating a vehicle designed to travel with three wheels in contact with the ground at  
39 speeds of less than 15 miles per hour; or

40 (c) Operating an auticycle.

41 (14) Except as provided in subsection (15) of this section, a person may operate a bicycle without  
42 any grant of driving privileges.

43 (15) A person may operate the following without any grant of driving privileges if the person is  
44 16 years of age or older:

45 (a) A Class 1 electric assisted bicycle;

1 (b) A Class 2 electric assisted bicycle; or

2 (c) A Class 3 electric assisted bicycle.

3 (16) A person may operate a motor assisted scooter without a driver license or driver permit if  
4 the person is 16 years of age or older.

5 (17) A person who is not a resident of this state or who has been a resident of this state for less  
6 than 30 days may operate a motor vehicle without an Oregon license or driver permit if the person  
7 is at least 15 years of age and has in the person's possession a current out-of-state equivalent of a  
8 Class C instruction driver permit issued to the person. For the purpose of this subsection, a person  
9 is a resident of this state if the person meets the residency requirements described in ORS 807.062.  
10 A person operating a motor vehicle under authority of this subsection has the same privileges and  
11 is subject to the same restrictions as a person operating under the authority of a Class C instruction  
12 driver permit issued as provided in ORS 807.280.

13 (18) A person may operate an electric personal assistive mobility device without any grant of  
14 driving privileges if the person is 16 years of age or older.

15 **(19)(a) A person who has a valid testing permit issued under section 5 of this 2025 Act  
16 may test a highly automated vehicle, as described in section 4 of this 2025 Act.**

17 **(b) As used in this subsection, "highly automated vehicle" has the meaning given that  
18 term in section 2 of this 2025 Act.**

19 **SECTION 19.** ORS 811.507 is amended to read:

20 811.507. (1) As used in this section:

21 (a)(A) "Driving" means operating a motor vehicle on a highway or premises open to the public,  
22 and while temporarily stationary because of traffic, a traffic control device or other momentary de-  
23 lays.

24 (B) "Driving" does not include when the motor vehicle has stopped in a location where it can  
25 safely remain stationary and:

26 (i) Is pulled over on the side of, or is pulled off, a roadway;

27 (ii) Is in a designated parking space; or

28 (iii) Is required to park in the roadway to conduct construction or utility maintenance work.

29 (b) "Hands-free accessory" means an attachment or built-in feature for or an addition to a mo-  
30 bile electronic device that gives a person the ability to keep both hands on the steering wheel at  
31 all times while using the device or requires only the minimal use of a finger, via a swipe or tap, to  
32 activate or deactivate a function of the device.

33 (c) "Livestock" has the meaning given that term in ORS 609.125.

34 (d)(A) "Mobile electronic device" means an electronic device that is not permanently installed  
35 in a motor vehicle.

36 (B) "Mobile electronic device" includes but is not limited to a device capable of text messaging,  
37 voice communication, entertainment, navigation, accessing the Internet or producing electronic mail.

38 (e) "Using a mobile electronic device" includes but is not limited to using a mobile electronic  
39 device for text messaging, voice communication, entertainment, navigation, accessing the Internet  
40 or producing electronic mail.

41 (2) A person commits the offense of driving a motor vehicle while using a mobile electronic de-  
42 vice if the person, while driving a motor vehicle on a highway or premises open to the public:

43 (a) Holds a mobile electronic device in the person's hand; or

44 (b) Uses a mobile electronic device for any purpose.

45 (3) This section does not apply to a person:

1 (a) Who is employed as a commercial motor vehicle driver, or as a school bus driver, and is  
 2 using a mobile electronic device within the scope of the person’s employment if the use is permitted  
 3 under regulations promulgated pursuant to 49 U.S.C. 31136;

4 (b) Who is employed as a driver of a vehicle having a gross vehicle weight rating or gross ve-  
 5 hicle weight of at least 10,001 pounds and is using a mobile electronic device within the scope of  
 6 the person’s employment and as required under regulations promulgated pursuant to 49 U.S.C. 31137;

7 (c) Who is operating a two-way radio device that transmits radio communication transmitted by  
 8 a station operating on an authorized frequency within the business, citizens’ or family radio service  
 9 bands in accordance with rules of the Federal Communications Commission while transporting forest  
 10 products, or while operating a vehicle to assist in logging operations, within the scope of the  
 11 person’s employment;

12 (d) Who is using a two-way radio device while operating a school bus or school activity vehicle  
 13 within the scope of the person’s employment;

14 (e) Who is using a two-way radio device or operating a two-way radio device that transmits ra-  
 15 dio communication transmitted by a station operating on an authorized frequency within the busi-  
 16 ness, citizens’ or family radio service bands in accordance with rules of the Federal Communications  
 17 Commission while operating a vehicle owned or contracted by a utility for the purpose of installing,  
 18 repairing, maintaining, operating or upgrading utility service, including but not limited to natural  
 19 gas, electricity, water or telecommunications, within the scope of the person’s employment;

20 (f) Who is using a two-way radio device while operating a vehicle wider than the lane of travel,  
 21 a vehicle transporting livestock or a vehicle requiring a slow-moving vehicle emblem under ORS  
 22 815.110, and the use of the device facilitates the safe operation of the vehicle; [or]

23 (g) Who is using a two-way radio device while operating a pilot or safety vehicle used to assist  
 24 the safe movement of a vehicle described in paragraph (f) of this subsection, and the use of the de-  
 25 vice facilitates the safe movement of the vehicle described in paragraph (f) of this subsection[.]; or

26 **(h) Who is a remote operator testing a highly automated vehicle as described in section**  
 27 **4 of this 2025 Act and using an electronic device to operate the highly automated vehicle.**  
 28 **As used in this paragraph, “highly automated vehicle” and “remote operator” have the**  
 29 **meanings given those terms in section 2 of this 2025 Act.**

30 (4) It is an affirmative defense to a prosecution of a person under this section that the person:

31 (a) Used the mobile electronic device to communicate if the person was summoning or providing  
 32 medical or other emergency help if no other person in the vehicle was capable of summoning help;

33 (b) Was 18 years of age or older and was using a hands-free accessory;

34 (c) Was driving an ambulance or emergency vehicle while acting within the scope of the person’s  
 35 employment;

36 (d) Was a police officer, firefighter or emergency medical services provider and was acting  
 37 within the scope of the person’s employment;

38 (e) Was 18 years of age or older, held a valid amateur radio operator license issued or any other  
 39 license issued by the Federal Communications Commission and was operating an amateur radio;

40 (f) Was operating a two-way radio device that transmits radio communication transmitted by a  
 41 station operating on an authorized frequency within the business, citizens’ or family radio service  
 42 bands in accordance with rules of the Federal Communications Commission to summon medical or  
 43 other emergency help; or

44 (g) Was using a medical device.

45 (5) The offense described in this section, driving a motor vehicle while using a mobile electronic

1 device, is:

2 (a) Except as provided in paragraph (b) of this subsection, for a person’s first conviction, a Class  
3 B traffic violation.

4 (b) For a person’s first conviction, if commission of the offense contributes to an accident de-  
5 scribed in ORS 811.720, a Class A traffic violation.

6 (c) For a person’s second conviction within a 10-year period following the date of the person’s  
7 first conviction, a Class A traffic violation.

8 (d) For a person’s third or subsequent conviction within a 10-year period preceding the date of  
9 the person’s current conviction, a Class B misdemeanor.

10 (6) In addition to any other sentence that may be imposed, the court shall impose a minimum  
11 fine of \$2,000 on a person convicted of a Class B misdemeanor under subsection (5)(d) of this section.

12 (7) For purposes of this section, sentences for two or more convictions that are imposed in the  
13 same sentencing proceeding are considered to be one sentence.

14 (8)(a) For a person’s first conviction of driving a motor vehicle while using a mobile electronic  
15 device, the court may suspend the fine to be imposed under subsection (5)(a) of this section on the  
16 condition that the person, within 120 days of sentencing:

17 (A) Complete at the person’s own expense a distracted driving avoidance course approved by the  
18 Department of Transportation under ORS 811.508; and

19 (B) Provide proof of completion to the court.

20 (b) The court may schedule a hearing to determine whether the person successfully completed  
21 the distracted driving avoidance course.

22 (c) If the person has successfully completed the requirements described in paragraph (a) of this  
23 subsection, the court shall enter a sentence of discharge. Notwithstanding ORS 153.021, a sentence  
24 of discharge imposed under this paragraph may not include a fine.

25 (d) If the person has not successfully completed the requirements described in paragraph (a) of  
26 this subsection, the court shall:

27 (A) Grant the person an extension based on good cause shown; or

28 (B) Impose the fine under subsection (5)(a) of this section.

29 (9) The department shall place signs on state highways to notify drivers that it is unlawful to  
30 drive a motor vehicle on the highways of this state while using a mobile electronic device and vi-  
31 olators are subject to criminal penalties.

32  
33 **PUBLIC RECORDS**

34  
35 **SECTION 20.** ORS 192.355, as amended by section 13, chapter 87, Oregon Laws 2024, is  
36 amended to read:

37 192.355. The following public records are exempt from disclosure under ORS 192.311 to 192.478:

38 (1) Communications within a public body or between public bodies of an advisory nature to the  
39 extent that they cover other than purely factual materials and are preliminary to any final agency  
40 determination of policy or action. This exemption shall not apply unless the public body shows that  
41 in the particular instance the public interest in encouraging frank communication between officials  
42 and employees of public bodies clearly outweighs the public interest in disclosure.

43 (2)(a) Information of a personal nature such as but not limited to that kept in a personal, med-  
44 ical or similar file, if public disclosure would constitute an unreasonable invasion of privacy, unless  
45 the public interest by clear and convincing evidence requires disclosure in the particular instance.

1 The party seeking disclosure shall have the burden of showing that public disclosure would not  
 2 constitute an unreasonable invasion of privacy.

3 (b) Images of a dead body, or parts of a dead body, that are part of a law enforcement agency  
 4 investigation, if public disclosure would create an unreasonable invasion of privacy of the family of  
 5 the deceased person, unless the public interest by clear and convincing evidence requires disclosure  
 6 in the particular instance. The party seeking disclosure shall have the burden of showing that public  
 7 disclosure would not constitute an unreasonable invasion of privacy.

8 (3) Upon compliance with ORS 192.363, public body employee or volunteer residential addresses,  
 9 residential telephone numbers, personal cellular telephone numbers, personal electronic mail ad-  
 10 dresses, driver license numbers, employer-issued identification card numbers, emergency contact in-  
 11 formation, Social Security numbers, dates of birth and other telephone numbers contained in records  
 12 maintained by the public body that is the employer or the recipient of volunteer services. This ex-  
 13 emption:

14 (a) Does not apply to the addresses, dates of birth and telephone numbers of employees or vol-  
 15 unteers who are elected officials, except that a judge or district attorney subject to election may  
 16 seek to exempt the judge's or district attorney's address or telephone number, or both, under the  
 17 terms of ORS 192.368;

18 (b) Does not apply to employees or volunteers to the extent that the party seeking disclosure  
 19 shows by clear and convincing evidence that the public interest requires disclosure in a particular  
 20 instance pursuant to ORS 192.363;

21 (c) Does not apply to a substitute teacher as defined in ORS 342.815 when requested by a pro-  
 22 fessional education association of which the substitute teacher may be a member; and

23 (d) Does not relieve a public employer of any duty under ORS 243.650 to 243.809.

24 (4) Information submitted to a public body in confidence and not otherwise required by law to  
 25 be submitted, where such information should reasonably be considered confidential, the public body  
 26 has obliged itself in good faith not to disclose the information, and when the public interest would  
 27 suffer by the disclosure.

28 (5) Information or records of the Department of Corrections, including the State Board of Parole  
 29 and Post-Prison Supervision, to the extent that disclosure would interfere with the rehabilitation of  
 30 a person in custody of the department or substantially prejudice or prevent the carrying out of the  
 31 functions of the department, if the public interest in confidentiality clearly outweighs the public in-  
 32 terest in disclosure.

33 (6) Records, reports and other information received or compiled by the Director of the Depart-  
 34 ment of Consumer and Business Services in the administration of ORS chapters 723 and 725 not  
 35 otherwise required by law to be made public, to the extent that the interests of lending institutions,  
 36 their officers, employees and customers in preserving the confidentiality of such information out-  
 37 weighs the public interest in disclosure.

38 (7) Reports made to or filed with the court under ORS 137.077 or 137.530.

39 (8) Any public records or information the disclosure of which is prohibited by federal law or  
 40 regulations.

41 (9)(a) Public records or information the disclosure of which is prohibited or restricted or other-  
 42 wise made confidential or privileged under Oregon law.

43 (b) Subject to ORS 192.360, paragraph (a) of this subsection does not apply to factual information  
 44 compiled in a public record when:

45 (A) The basis for the claim of exemption is ORS 40.225;

1 (B) The factual information is not prohibited from disclosure under any applicable state or fed-  
 2 eral law, regulation or court order and is not otherwise exempt from disclosure under ORS 192.311  
 3 to 192.478;

4 (C) The factual information was compiled by or at the direction of an attorney as part of an  
 5 investigation on behalf of the public body in response to information of possible wrongdoing by the  
 6 public body;

7 (D) The factual information was not compiled in preparation for litigation, arbitration or an  
 8 administrative proceeding that was reasonably likely to be initiated or that has been initiated by  
 9 or against the public body; and

10 (E) The holder of the privilege under ORS 40.225 has made or authorized a public statement  
 11 characterizing or partially disclosing the factual information compiled by or at the attorney's di-  
 12 rection.

13 (10) Public records or information described in this section, furnished by the public body ori-  
 14 ginally compiling, preparing or receiving them to any other public officer or public body in con-  
 15 nection with performance of the duties of the recipient, if the considerations originally giving rise  
 16 to the confidential or exempt nature of the public records or information remain applicable.

17 (11) Records of the Energy Facility Siting Council concerning the review or approval of security  
 18 programs pursuant to ORS 469.530.

19 (12) Employee and retiree address, telephone number and other nonfinancial membership records  
 20 and employee financial records maintained by the Public Employees Retirement System pursuant to  
 21 ORS chapters 238 and 238A or by another retirement system operated by a public body.

22 (13) Records of or submitted to the State Treasurer, the Oregon Investment Council or the  
 23 agents of the treasurer or the council relating to active or proposed publicly traded investments  
 24 under ORS chapter 293, including but not limited to records regarding the acquisition, exchange or  
 25 liquidation of the investments. For the purposes of this subsection:

26 (a) The exemption does not apply to:

27 (A) Information in investment records solely related to the amount paid directly into an invest-  
 28 ment by, or returned from the investment directly to, the treasurer or council; or

29 (B) The identity of the entity to which the amount was paid directly or from which the amount  
 30 was received directly.

31 (b) An investment in a publicly traded investment is no longer active when acquisition, exchange  
 32 or liquidation of the investment has been concluded.

33 (14)(a) Records of or submitted to the State Treasurer, the Oregon Investment Council, the  
 34 Oregon Growth Board or the agents of the treasurer, council or board relating to actual or proposed  
 35 investments under ORS chapter 293 or 348 in a privately placed investment fund or a private asset  
 36 including but not limited to records regarding the solicitation, acquisition, deployment, exchange or  
 37 liquidation of the investments including but not limited to:

38 (A) Due diligence materials that are proprietary to an investment fund, to an asset ownership  
 39 or to their respective investment vehicles.

40 (B) Financial statements of an investment fund, an asset ownership or their respective invest-  
 41 ment vehicles.

42 (C) Meeting materials of an investment fund, an asset ownership or their respective investment  
 43 vehicles.

44 (D) Records containing information regarding the portfolio positions in which an investment  
 45 fund, an asset ownership or their respective investment vehicles invest.

1 (E) Capital call and distribution notices of an investment fund, an asset ownership or their re-  
 2 spective investment vehicles.

3 (F) Investment agreements and related documents.

4 (b) The exemption under this subsection does not apply to:

5 (A) The name, address and vintage year of each privately placed investment fund.

6 (B) The dollar amount of the commitment made to each privately placed investment fund since  
 7 inception of the fund.

8 (C) The dollar amount of cash contributions made to each privately placed investment fund since  
 9 inception of the fund.

10 (D) The dollar amount, on a fiscal year-end basis, of cash distributions received by the State  
 11 Treasurer, the Oregon Investment Council, the Oregon Growth Board or the agents of the treasurer,  
 12 council or board from each privately placed investment fund.

13 (E) The dollar amount, on a fiscal year-end basis, of the remaining value of assets in a privately  
 14 placed investment fund attributable to an investment by the State Treasurer, the Oregon Investment  
 15 Council, the Oregon Growth Board or the agents of the treasurer, council or board.

16 (F) The net internal rate of return of each privately placed investment fund since inception of  
 17 the fund.

18 (G) The investment multiple of each privately placed investment fund since inception of the fund.

19 (H) The dollar amount of the total management fees and costs paid on an annual fiscal year-end  
 20 basis to each privately placed investment fund.

21 (I) The dollar amount of cash profit received from each privately placed investment fund on a  
 22 fiscal year-end basis.

23 (15) The monthly reports prepared and submitted under ORS 293.761 and 293.766 concerning the  
 24 Public Employees Retirement Fund and the Industrial Accident Fund may be uniformly treated as  
 25 exempt from disclosure for a period of up to 90 days after the end of the calendar quarter.

26 (16) Reports of unclaimed property filed by the holders of such property to the extent permitted  
 27 by ORS 98.352.

28 (17)(a) The following records, communications and information submitted to the Oregon Business  
 29 Development Commission, the Oregon Business Development Department, the State Department of  
 30 Agriculture, the Oregon Growth Board, the Port of Portland or other ports as defined in ORS  
 31 777.005, or a county or city governing body and any board, department, commission, council or  
 32 agency thereof, by applicants for investment funds, grants, loans, services or economic development  
 33 moneys, support or assistance including, but not limited to, those described in ORS 285A.224:

34 (A) Personal financial statements.

35 (B) Financial statements of applicants.

36 (C) Customer lists.

37 (D) Information of an applicant pertaining to litigation to which the applicant is a party if the  
 38 complaint has been filed, or if the complaint has not been filed, if the applicant shows that such  
 39 litigation is reasonably likely to occur; this exemption does not apply to litigation which has been  
 40 concluded, and nothing in this subparagraph shall limit any right or opportunity granted by discov-  
 41 ery or deposition statutes to a party to litigation or potential litigation.

42 (E) Production, sales and cost data.

43 (F) Marketing strategy information that relates to applicant's plan to address specific markets  
 44 and applicant's strategy regarding specific competitors.

45 (b) The following records, communications and information submitted to the State Department

1 of Energy by applicants for tax credits or for grants awarded under ORS 469B.256:

2 (A) Personal financial statements.

3 (B) Financial statements of applicants.

4 (C) Customer lists.

5 (D) Information of an applicant pertaining to litigation to which the applicant is a party if the  
6 complaint has been filed, or if the complaint has not been filed, if the applicant shows that such  
7 litigation is reasonably likely to occur; this exemption does not apply to litigation which has been  
8 concluded, and nothing in this subparagraph shall limit any right or opportunity granted by discov-  
9 ery or deposition statutes to a party to litigation or potential litigation.

10 (E) Production, sales and cost data.

11 (F) Marketing strategy information that relates to applicant's plan to address specific markets  
12 and applicant's strategy regarding specific competitors.

13 (18) Records, reports or returns submitted by private concerns or enterprises required by law  
14 to be submitted to or inspected by a governmental body to allow it to determine the amount of any  
15 transient lodging tax payable and the amounts of such tax payable or paid, to the extent that such  
16 information is in a form which would permit identification of the individual concern or enterprise.  
17 Nothing in this subsection shall limit the use which can be made of such information for regulatory  
18 purposes or its admissibility in any enforcement proceedings. The public body shall notify the tax-  
19 payer of the delinquency immediately by certified mail. However, in the event that the payment or  
20 delivery of transient lodging taxes otherwise due to a public body is delinquent by over 60 days, the  
21 public body shall disclose, upon the request of any person, the following information:

22 (a) The identity of the individual concern or enterprise that is delinquent over 60 days in the  
23 payment or delivery of the taxes.

24 (b) The period for which the taxes are delinquent.

25 (c) The actual, or estimated, amount of the delinquency.

26 (19) All information supplied by a person under ORS 151.485 for the purpose of requesting ap-  
27 pointed counsel, and all information supplied to the court from whatever source for the purpose of  
28 verifying the financial eligibility of a person pursuant to ORS 151.485.

29 (20) Workers' compensation claim records of the Department of Consumer and Business Services,  
30 except in accordance with rules adopted by the Director of the Department of Consumer and Busi-  
31 ness Services, in any of the following circumstances:

32 (a) When necessary for insurers, self-insured employers and third party claim administrators to  
33 process workers' compensation claims.

34 (b) When necessary for the director, other governmental agencies of this state or the United  
35 States to carry out their duties, functions or powers.

36 (c) When the disclosure is made in such a manner that the disclosed information cannot be used  
37 to identify any worker who is the subject of a claim.

38 (d) When a worker or the worker's representative requests review of the worker's claim record.

39 (21) Sensitive business records or financial or commercial information of the Oregon Health and  
40 Science University that is not customarily provided to business competitors.

41 (22) Records of Oregon Health and Science University regarding candidates for the position of  
42 president of the university.

43 (23) The records of a library, including:

44 (a) Circulation records, showing use of specific library material by a named person;

45 (b) The name of a library patron together with the address or telephone number of the patron;

1 and

2 (c) The electronic mail address of a patron.

3 (24) The following records, communications and information obtained by the Housing and Com-  
 4 munity Services Department in connection with the department's monitoring or administration of  
 5 financial assistance or of housing or other developments:

6 (a) Personal and corporate financial statements and information, including tax returns.

7 (b) Credit reports.

8 (c) Project appraisals, excluding appraisals obtained in the course of transactions involving an  
 9 interest in real estate that is acquired, leased, rented, exchanged, transferred or otherwise disposed  
 10 of as part of the project, but only after the transactions have closed and are concluded.

11 (d) Market studies and analyses.

12 (e) Articles of incorporation, partnership agreements and operating agreements.

13 (f) Commitment letters.

14 (g) Project pro forma statements.

15 (h) Project cost certifications and cost data.

16 (i) Audits.

17 (j) Project tenant correspondence.

18 (k) Personal information about a tenant.

19 (L) Housing assistance payments.

20 (25) Raster geographic information system (GIS) digital databases, provided by private forestland  
 21 owners or their representatives, voluntarily and in confidence to the State Forestry Department,  
 22 that is not otherwise required by law to be submitted.

23 (26) Sensitive business, commercial or financial information furnished to or developed by a  
 24 public body engaged in the business of providing electricity or electricity services, if the information  
 25 is directly related to a transaction described in ORS 261.348, or if the information is directly related  
 26 to a bid, proposal or negotiations for the sale or purchase of electricity or electricity services, and  
 27 disclosure of the information would cause a competitive disadvantage for the public body or its re-  
 28 tail electricity customers. This subsection does not apply to cost-of-service studies used in the de-  
 29 velopment or review of generally applicable rate schedules.

30 (27) Sensitive business, commercial or financial information furnished to or developed by the  
 31 City of Klamath Falls, acting solely in connection with the ownership and operation of the Klamath  
 32 Cogeneration Project, if the information is directly related to a transaction described in ORS 225.085  
 33 and disclosure of the information would cause a competitive disadvantage for the Klamath  
 34 Cogeneration Project. This subsection does not apply to cost-of-service studies used in the develop-  
 35 ment or review of generally applicable rate schedules.

36 (28) Personally identifiable information about customers of a municipal electric utility or a  
 37 people's utility district or the names, dates of birth, driver license numbers, telephone numbers,  
 38 electronic mail addresses or Social Security numbers of customers who receive water, sewer or  
 39 storm drain services from a public body as defined in ORS 174.109. The utility or district may re-  
 40 lease personally identifiable information about a customer, and a public body providing water, sewer  
 41 or storm drain services may release the name, date of birth, driver license number, telephone num-  
 42 ber, electronic mail address or Social Security number of a customer, if the customer consents in  
 43 writing or electronically, if the disclosure is necessary for the utility, district or other public body  
 44 to render services to the customer, if the disclosure is required pursuant to a court order or if the  
 45 disclosure is otherwise required by federal or state law. The utility, district or other public body

1 may charge as appropriate for the costs of providing such information. The utility, district or other  
 2 public body may make customer records available to third party credit agencies on a regular basis  
 3 in connection with the establishment and management of customer accounts or in the event such  
 4 accounts are delinquent.

5 (29) A record of the street and number of an employee's address submitted to a special district  
 6 to obtain assistance in promoting an alternative to single occupant motor vehicle transportation.

7 (30) Sensitive business records, capital development plans or financial or commercial information  
 8 of Oregon Corrections Enterprises that is not customarily provided to business competitors.

9 (31) Documents, materials or other information submitted to the Director of the Department of  
 10 Consumer and Business Services in confidence by a state, federal, foreign or international regulatory  
 11 or law enforcement agency or by the National Association of Insurance Commissioners, its affiliates  
 12 or subsidiaries under ORS 86A.095 to 86A.198, 697.005 to 697.095, 697.602 to 697.842, 705.137, 717.200  
 13 to 717.320, 717.900 or 717.905, ORS chapter 59, 723, 725 or 726, the Bank Act or the Insurance Code  
 14 when:

15 (a) The document, material or other information is received upon notice or with an under-  
 16 standing that it is confidential or privileged under the laws of the jurisdiction that is the source of  
 17 the document, material or other information; and

18 (b) The director has obligated the Department of Consumer and Business Services not to dis-  
 19 close the document, material or other information.

20 (32) A county elections security plan developed and filed under ORS 254.074.

21 (33) Information about review or approval of programs relating to the security of:

22 (a) Generation, storage or conveyance of:

23 (A) Electricity;

24 (B) Gas in liquefied or gaseous form;

25 (C) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);

26 (D) Petroleum products;

27 (E) Sewage; or

28 (F) Water.

29 (b) Telecommunication systems, including cellular, wireless or radio systems.

30 (c) Data transmissions by whatever means provided.

31 (34) The information specified in ORS 25.020 (8) if the Chief Justice of the Supreme Court des-  
 32 ignates the information as confidential by rule under ORS 1.002.

33 (35)(a) Employer account records of the State Accident Insurance Fund Corporation.

34 (b) As used in this subsection, "employer account records" means all records maintained in any  
 35 form that are specifically related to the account of any employer insured, previously insured or un-  
 36 der consideration to be insured by the State Accident Insurance Fund Corporation and any infor-  
 37 mation obtained or developed by the corporation in connection with providing, offering to provide  
 38 or declining to provide insurance to a specific employer. "Employer account records" includes, but  
 39 is not limited to, an employer's payroll records, premium payment history, payroll classifications,  
 40 employee names and identification information, experience modification factors, loss experience and  
 41 dividend payment history.

42 (c) The exemption provided by this subsection may not serve as the basis for opposition to the  
 43 discovery documents in litigation pursuant to applicable rules of civil procedure.

44 (36)(a) Claimant files of the State Accident Insurance Fund Corporation.

45 (b) As used in this subsection, "claimant files" includes, but is not limited to, all records held

1 by the corporation pertaining to a person who has made a claim, as defined in ORS 656.005, and all  
2 records pertaining to such a claim.

3 (c) The exemption provided by this subsection may not serve as the basis for opposition to the  
4 discovery documents in litigation pursuant to applicable rules of civil procedure.

5 (37) Except as authorized by ORS 408.425, records that certify or verify an individual's discharge  
6 or other separation from military service.

7 (38) Records of or submitted to a domestic violence service or resource center that relate to the  
8 name or personal information of an individual who visits a center for service, including the date of  
9 service, the type of service received, referrals or contact information or personal information of a  
10 family member of the individual. As used in this subsection, "domestic violence service or resource  
11 center" means an entity, the primary purpose of which is to assist persons affected by domestic or  
12 sexual violence by providing referrals, resource information or other assistance specifically of ben-  
13 efit to domestic or sexual violence victims.

14 (39) Information reported to the Oregon Health Authority under ORS 431A.860, except as pro-  
15 vided in ORS 431A.865 (3)(b), information disclosed by the authority under ORS 431A.865 and any  
16 information related to disclosures made by the authority under ORS 431A.865, including information  
17 identifying the recipient of the information.

18 (40)(a) Electronic mail addresses in the possession or custody of an agency or subdivision of the  
19 executive department, as defined in ORS 174.112, the legislative department, as defined in ORS  
20 174.114, a local government or local service district, as defined in ORS 174.116, or a special gov-  
21 ernment body, as defined in ORS 174.117.

22 (b) This subsection does not apply to electronic mail addresses assigned by a public body to  
23 public employees for use by the employees in the ordinary course of their employment.

24 (c) This subsection and ORS 244.040 do not prohibit the campaign office of the current  
25 officeholder or current candidates who have filed to run for that elective office from receiving upon  
26 request the electronic mail addresses used by the current officeholder's legislative office for news-  
27 letter distribution, except that a campaign office that receives electronic mail addresses under this  
28 paragraph may not make a further disclosure of those electronic mail addresses to any other person.

29 (41) Residential addresses, residential telephone numbers, personal cellular telephone numbers,  
30 personal electronic mail addresses, driver license numbers, emergency contact information, Social  
31 Security numbers, dates of birth and other telephone numbers of individuals currently or previously  
32 certified or licensed by the Department of Public Safety Standards and Training contained in the  
33 records maintained by the department.

34 (42) Personally identifiable information and contact information of veterans as defined in ORS  
35 408.225 and of persons serving on active duty or as reserve members with the Armed Forces of the  
36 United States, National Guard or other reserve component that was obtained by the Department of  
37 Veterans' Affairs in the course of performing its duties and functions, including but not limited to  
38 names, residential and employment addresses, dates of birth, driver license numbers, telephone  
39 numbers, electronic mail addresses, Social Security numbers, marital status, dependents, the char-  
40 acter of discharge from military service, military rating or rank, that the person is a veteran or has  
41 provided military service, information relating to an application for or receipt of federal or state  
42 benefits, information relating to the basis for receipt or denial of federal or state benefits and in-  
43 formation relating to a home loan or grant application, including but not limited to financial infor-  
44 mation provided in connection with the application.

45 (43) Business, commercial, financial, operational and research data and information, including

1 but not limited to pricing, intellectual property and customer records, furnished to, developed by or  
 2 generated in connection with the ownership and operation of an unmanned aerial system test range,  
 3 if disclosure of the information would cause a competitive disadvantage to the test range or its us-  
 4 ers.

5 (44) Personally identifiable information about a child under the age of 16 years that is submitted  
 6 to the State Fish and Wildlife Commission or an agent of the commission to obtain a license, tag  
 7 or permit under the wildlife laws.

8 (45) Proprietary information subject to a nondisclosure agreement that is provided to the Oregon  
 9 Broadband Office pursuant to ORS 285A.176.

10 (46) With respect to records held by the State Treasurer relating to unclaimed properties under  
 11 ORS 98.302 to 98.436:

12 (a) All materials or communications received during an examination under ORS 98.412 (2) and  
 13 (3), except to the extent that the information in the materials or communications appears within a  
 14 report under ORS 98.412 (4) or 98.352 and the information is not otherwise exempt under ORS 98.352  
 15 (4).

16 (b) All materials or communications assembled or used by the state or its auditor during the  
 17 preparation of a report under ORS 98.412 (4), including drafts, correspondence, working papers and  
 18 other preparatory documents.

19 (c) Information obtained during an examination under ORS 98.412 (2) and (3) concerning an un-  
 20 claimed property holder’s potential liability in a state other than Oregon, even if that information  
 21 is included in a report under ORS 98.412 (4) or 98.352.

22 (d) Information in or supporting claims to unclaimed property under ORS 98.392, except to the  
 23 extent that the claimant consents to the information’s disclosure.

24 (47) Any document, record or plan for protection relating to the existence, nature, location or  
 25 function of cybersecurity devices, programs or systems designed to protect computer, information  
 26 technology or communications systems against threat or attack, including but not limited to:

27 (a) Records pertaining to devices, programs or systems that depend for their effectiveness in  
 28 whole or part upon a lack of public knowledge; and

29 (b) Contractual records or insurance records that set forth cybersecurity specifications, insur-  
 30 ance application and coverage details.

31 (48) Sensitive business, commercial or financial information, that is not customarily provided to  
 32 business competitors, that is furnished to or developed by the Oregon Prescription Drug Program  
 33 in connection with purchasing prescription drugs or contracting for the services of a pharmacy  
 34 benefit manager or pharmacy networks pursuant to ORS 414.312.

35 **(49)(a) Personal information, as defined in ORS 802.175, of highly automated vehicle**  
 36 **testing operators reported to the Department of Transportation as part of an application for**  
 37 **a testing permit under section 5 of this 2025 Act.**

38 **(b) As used in this subsection, “highly automated vehicle” and “testing operator” have**  
 39 **the meanings given those terms in section 2 of this 2025 Act.**

40  
 41 **PENALTIES**

42  
 43 **SECTION 21. Civil penalties under section 11 of this 2025 Act shall be imposed in the**  
 44 **manner provided by ORS 183.745.**

45 **SECTION 22. Notwithstanding ORS 670.335, civil penalties recovered by the Department**

1 **of Transportation under section 11 of this 2025 Act shall be deposited in the State Highway**  
2 **Fund established under ORS 366.505.**

3 **SECTION 23.** ORS 366.505 is amended to read:

4 366.505. (1) The State Highway Fund shall consist of:

5 (a) All moneys and revenues derived under and by virtue of the sale of bonds, the sale of which  
6 is authorized by law and the proceeds thereof to be dedicated to highway purposes.

7 (b) All moneys and revenues accruing from the licensing of motor vehicles, operators and  
8 chauffeurs.

9 (c) Moneys and revenues derived from any tax levied upon gasoline, distillate, liberty fuel or  
10 other volatile and inflammable liquid fuels, except moneys and revenues described in ORS 184.642  
11 (2)(a) that become part of the Department of Transportation Operating Fund.

12 (d) Moneys and revenues derived from the road usage charges imposed under ORS 319.885.

13 (e) Moneys and revenues derived from the use tax imposed under ORS 320.410.

14 **(f) Moneys and revenues derived from the civil penalties recovered by the Department**  
15 **of Transportation under section 11 of this 2025 Act.**

16 [(f)] (g) Moneys and revenues derived from or made available by the federal government for road  
17 construction, maintenance or betterment purposes.

18 [(g)] (h) All moneys and revenues received from all other sources which by law are allocated  
19 or dedicated for highway purposes.

20 (2) The State Highway Fund shall be deemed and held as a trust fund, separate and distinct from  
21 the General Fund, and may be used only for the purposes authorized by law and is continually ap-  
22 propriated for such purposes.

23 (3) Moneys in the State Highway Fund may be invested as provided in ORS 293.701 to 293.857.  
24 All interest earnings on any of the funds designated in subsection (1) of this section shall be placed  
25 to the credit of the highway fund.

26  
27 **DEPARTMENT OF TRANSPORTATION REPORT**

28  
29 **SECTION 24.** The Department of Transportation shall submit a report in the manner  
30 provided by ORS 192.245 to the interim committees of the Legislative Assembly related to  
31 transportation no later than November 15, 2032. The report must include:

32 (1) A summary of the collisions, necessary disengagements and other relevant informa-  
33 tion that is reported to the department under section 9 of this 2025 Act;

34 (2) An evaluation by the department of the performance of highly automated vehicle  
35 technologies and the impact of the technologies on public safety and employment in the  
36 transportation sector; and

37 (3) Recommendations on legislation to maintain, modify or repeal sections 2 to 13 of this  
38 2025 Act.

39 **SECTION 25.** Section 24 of this 2025 Act is repealed on January 2, 2033.

40  
41 **MISCELLANEOUS**

42  
43 **SECTION 26. Applicability.** Sections 2 to 13 and 14 of this 2025 Act and the amendments  
44 to ORS 192.355, 366.505, 801.026, 805.200, 806.080, 807.020 and 811.507 by sections 15 to 20 and  
45 23 of this 2025 Act do not apply to a motor vehicle solely by reason that the motor vehicle

1 has systems for collision avoidance, electronic blind spot detection, automatic emergency  
2 braking, parking assist, adaptive cruise control, lane keeping assist, lane departure warning  
3 or other similar systems that enhance safety or assist drivers but that are not capable of  
4 operating the motor vehicle without the active control or monitoring of a human operator.

5 **SECTION 27. Operative date.** (1) Sections 2 to 13, 14, 21 and 22 of this 2025 Act and the  
6 amendments to ORS 192.355, 366.505, 801.026, 805.200, 806.080, 807.020 and 811.507 by sections  
7 15 to 20 and 23 of this 2025 Act become operative on January 1, 2027.

8 (2) The Department of Transportation may take any action before the operative date  
9 specified in subsection (1) of this section that is necessary for the department to exercise,  
10 on and after the operative date specified in subsection (1) of this section, all of the duties,  
11 functions and powers conferred on the department by sections 2 to 13, 14, 21 and 22 of this  
12 2025 Act and the amendments to ORS 192.355, 366.505, 801.026, 805.200, 806.080, 807.020 and  
13 811.507 by sections 15 to 20 and 23 of this 2025 Act.

14 **SECTION 28. Captions.** The unit and section captions used in this 2025 Act are provided  
15 only for the convenience of the reader and do not become part of the statutory law of this  
16 state or express any legislative intent in the enactment of this 2025 Act.

17 **SECTION 29. Effective date.** This 2025 Act takes effect on the 91st day after the date on  
18 which the 2025 regular session of the Eighty-third Legislative Assembly adjourns sine die.

19