

# Senate Bill 932

Sponsored by Senator SMITH DB

## 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: When a person gets a new car-related conviction while their license is revoked, they must wait to ask to restore their license. The Act says the extra wait time is the amount of time between their new conviction and when they could have asked before the new conviction happened. (Flesch Readability Score: 64.5).

Alters when a person whose driving privileges are revoked may petition to restore their privileges.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to restoring driving privileges; creating new provisions; amending ORS 809.235; and de-  
3 claring an emergency.

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

5 **SECTION 1.** ORS 809.235 is amended to read:

6 809.235. (1)(a) Notwithstanding ORS 809.409 (2), the court shall order that a person's driving  
7 privileges be permanently revoked if the person is convicted of any degree of murder and the court  
8 finds that the person intentionally used a motor vehicle as a dangerous weapon resulting in the  
9 death of the victim, or if the person is convicted of aggravated vehicular homicide, manslaughter in  
10 the first or second degree resulting from the operation of a motor vehicle, criminally negligent  
11 homicide resulting from the operation of a motor vehicle or assault in the first degree resulting from  
12 the operation of a motor vehicle.

13 (b) The court shall order that a person's driving privileges be permanently revoked if the person  
14 is convicted of felony driving while under the influence of intoxicants in violation of ORS 813.010  
15 or if the person is convicted for a third or subsequent time of any of the following offenses in any  
16 combination:

17 (A) Driving while under the influence of intoxicants in violation of:

18 (i) ORS 813.010; or

19 (ii) The statutory counterpart to ORS 813.010 in another jurisdiction.

20 (B) A driving under the influence of intoxicants offense in another jurisdiction that involved the  
21 impaired driving of a vehicle due to the use of an intoxicant or a combination of intoxicants.

22 (C) A driving offense in another jurisdiction that involved operating a vehicle while having a  
23 blood alcohol content above that jurisdiction's permissible blood alcohol content.

24 (c) For the purposes of paragraph (b) of this subsection, a conviction for a driving offense in  
25 another jurisdiction based solely on a person under 21 years of age having a blood alcohol content  
26 that is lower than the permissible blood alcohol content in that jurisdiction for a person 21 years  
27 of age or older does not constitute a prior conviction.

28 (2)(a) A person whose driving privileges are revoked as described in subsection (1) of this sec-

**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 tion may file a petition in the circuit court of the county in which the person's driving privileges  
2 were revoked for an order restoring the person's driving privileges. A petition may be filed under  
3 this subsection no sooner than 10 years after the person is:

4 (A) Released on parole or post-prison supervision for the crime for which the person's driving  
5 privileges were revoked and any other crimes arising out of the same criminal episode;

6 (B) Sentenced to probation for the crime for which the person's driving privileges were revoked,  
7 unless the probation is revoked, in which case the petition may be filed no sooner than 10 years  
8 after the date probation is revoked; or

9 (C) Sentenced for the crime for which the person's driving privileges were revoked, if no other  
10 provision of this paragraph applies.

11 (b) Notwithstanding paragraph (a) of this subsection, if during the revocation period for the  
12 crime for which the person was convicted the person is convicted of a criminal offense involving a  
13 motor vehicle, the person may file a petition to restore driving privileges as described in paragraph  
14 (a) of this subsection no sooner than **the amount of time described in paragraph (a) of this**  
15 **subsection, [10 years from the date of the most recent conviction involving a motor vehicle.] plus an**  
16 **additional amount of time consecutive to the time described in paragraph (a) of this sub-**  
17 **section. The additional amount of time shall equal the amount of time between the date of**  
18 **the most recent conviction involving a motor vehicle and the time remaining before a person**  
19 **may file a petition under paragraph (a) of this subsection.**

20 (c) The district attorney of the county in which the person's driving privileges were revoked  
21 shall be named and served as the respondent in the petition.

22 (3) The court shall hold a hearing on a petition filed in accordance with subsection (2) of this  
23 section. In determining whether to grant the petition, the court shall consider:

24 (a) The nature of the offense for which driving privileges were revoked.

25 (b) The degree of violence involved in the offense.

26 (c) Other criminal and relevant noncriminal behavior of the petitioner both before and after the  
27 conviction that resulted in the revocation.

28 (d) The recommendation of the person's parole officer, which shall be based in part on a psy-  
29 chological evaluation ordered by the court to determine whether the person is presently a threat to  
30 the safety of the public.

31 (e) Any other relevant factors.

32 (4) The court shall order a petitioner's driving privileges restored if, after a hearing described  
33 in subsection (3) of this section, the court finds by clear and convincing evidence that the petitioner:

34 (a) Is rehabilitated;

35 (b) Does not pose a threat to the safety of the public; and

36 (c) If the sentence for the crime for which the petitioner's driving privileges were revoked re-  
37 quired the petitioner to complete an alcohol or drug treatment program, has completed an alcohol  
38 or drug treatment program in a facility approved by the Director of the Oregon Health Authority  
39 or a similar program in another jurisdiction.

40 (5) Upon receiving a court order to restore a person's driving privileges, the department may  
41 reinstate driving privileges in accordance with ORS 809.390, except that the department may not  
42 reinstate driving privileges of any person whose privileges are revoked under this section until the  
43 person complies with future responsibility filings.

44 (6) The provisions of this section do not apply to convictions of driving while under the influ-  
45 ence of intoxicants if the offense was committed while the person was riding a bicycle.

1 (7) For the purposes of this section, “bicycle” does not include an electric assisted bicycle.

2 **SECTION 2. The amendments to ORS 809.235 by section 1 of this 2025 Act apply to indi-**  
3 **viduals whose most recent conviction involving a motor vehicle occurred on or after January**  
4 **1, 2023.**

5 **SECTION 3. This 2025 Act being necessary for the immediate preservation of the public**  
6 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**  
7 **on its passage.**

8

---