

A-Engrossed

House Bill 4137

Ordered by the House February 18
Including House Amendments dated February 18

Sponsored by Representative CATE, Senator GIROD, Representatives RIEKE SMITH, PHAM H, SANCHEZ; Representatives GOMBERG, HELFRICH, HELM, JAVADI, LEVY B, LEWIS, MANNIX, MCLAIN, RESCHKE, SKARLATOS, WALTERS, WISE, Senators GELSER BLOUIN, HAYDEN, NASH, PHAM K, ROBINSON, SOLLMAN, THATCHER (Presession 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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: If a traffic ticket is sent to a person who sold a car before the traffic offense happened, the old owner may let the court know that they are not required to pay the ticket. (Flesch Readability Score: 62.5).

Provides that, in lieu of making a first appearance for a traffic violation citation, the person who is the previous owner of a vehicle may notify the court that the person has transferred interest in the vehicle and is not liable for the citation.

A BILL FOR AN ACT

Relating to the transfer of interest in motor vehicles; creating new provisions; and amending ORS 153.061.

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

SECTION 1. ORS 153.061 is amended to read:

153.061. (1) Except as provided in subsection (2) **or** (8) of this section, a defendant who has been issued a violation citation must either:

(a) Make a first appearance by personally appearing in court at the time indicated in the summons; or

(b) Make a first appearance in the manner provided in subsection (3) of this section before the time indicated in the summons.

(2) If a defendant is issued a violation citation for careless driving under ORS 811.135 on which a police officer noted that the offense contributed to an accident and that the cited offense appears to have contributed to the serious physical injury or death of a vulnerable user of a public way, the officer may not enter the amount of the presumptive fine on the summons and the defendant must make a first appearance by personally appearing in court at the time indicated in the summons.

(3)(a) Except as provided in this section, a defendant who has been issued a violation citation may make a first appearance in the manner before the time indicated in the summons by one of the following means:

(A) The defendant may submit to the court a written or oral request for a trial.

(B) The defendant may enter a plea of no contest by:

(i) Delivering to the court, a Central Violations Bureau established under ORS 153.806 or a Violations Bureau established by the court under ORS 153.800 the summons and a check or money order in the amount of the presumptive fine set forth in the summons; or

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 (ii) Appear by electronic or telephonic means and entering the plea with a Central Violations
2 Bureau established under ORS 153.806 or a Violations Bureau established by the court under ORS
3 153.800.

4 (b) The entry of a plea under paragraph (a)(B) of this subsection constitutes a waiver of trial
5 and consent to the entry of a judgment forfeiting the presumptive fine.

6 (c) A no contest plea under this subsection is not subject to the requirements of ORS chapter
7 135 relating to the entry of pleas and, upon receipt of the plea, the court may enter judgment
8 against the defendant without taking further evidence.

9 (4) The court may require that a defendant requesting a trial under subsection (3) of this section
10 deposit an amount equal to the presumptive fine established under ORS 153.019 and 153.020 or such
11 other amount as the court determines appropriate if the defendant has failed to appear in any court
12 on one or more other charges in the past. If the defendant does not deposit the amount specified
13 by the court, the defendant must personally appear in court at the time indicated in the summons.
14 The amount deposited by the defendant may be applied against any fine imposed by the court, and
15 any amount not so applied shall be refunded to the defendant at the conclusion of the proceedings.

16 (5) The court may require a defendant to appear personally in any case, or may require that all
17 defendants appear in specified categories of cases.

18 (6) If a defendant has entered a no contest plea in the manner provided in subsection (3) of this
19 section, and the court determines that the presumptive fine is not adequate by reason of previous
20 convictions of the defendant, the nature of the offense charged or other circumstances, the court
21 may require that a trial be held unless an additional fine amount is paid by the defendant before a
22 specified date. Notice of an additional fine amount under this subsection may be given to the de-
23 fendant by mail. In no event may the court require a total fine amount in excess of the maximum
24 fine established for the violation by statute.

25 (7) If a defendant fails to make a first appearance on a citation for a traffic violation, as defined
26 by ORS 801.557, fails to make a first appearance on a citation for a violation of ORS 471.430, or fails
27 to appear at any other subsequent time set for trial or other appearance, the driving privileges of
28 the defendant are subject to suspension under ORS 809.220.

29 **(8)(a) A defendant who has been issued a violation citation for a traffic violation and who
30 has already transferred the defendant's interest in the motor vehicle described in the cita-
31 tion is not required to make a first appearance if, within 30 days of the issuance of the ci-
32 tation, the defendant instead notifies the court with jurisdiction, through a certificate of
33 innocence or in the manner provided by the court, of the transfer when the defendant sub-
34 mits to the court a statement swearing or affirming that:**

35 **(A) The citation is issued for the parking, abandoning or operation of the motor vehicle
36 by another person;**

37 **(B) The defendant transferred interest in the vehicle to another person before the cita-
38 tion was issued;**

39 **(C) The defendant submitted the notice of transfer of interest to the Department of
40 Transportation as required under ORS 803.112; and**

41 **(D) Pursuant to ORS 803.117 the defendant is exempt from liability.**

42 **(b) Upon determining that the person is exempt from liability in accordance with ORS
43 803.117, the court shall dismiss the citation.**

44 **SECTION 2. The amendments to ORS 153.061 by section 1 of this 2026 Act apply to con-
45 duct occurring on or after the effective date of this 2026 Act.**

