

# House Bill 2787

Sponsored by Representative EVANS (at the request of Oregon Vehicle Dealer Association) (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**.

Directs Department of Transportation to notify vehicle dealers when department discovers documentation or fees vehicle dealer submitted to register or title vehicle are missing or incomplete. Directs department to take certain actions to allow dealer to rectify missing documentation, information or fees.

Directs department to undertake study to assess delays in processing documentation and fees submitted by vehicle dealers. Provides that department report results of study and recommendations to Oregon Dealer Advisory Committee no later than September 15, 2025.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to vehicle dealers; and prescribing an effective date.

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

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of the Oregon Vehicle**  
5 **Code.**

6 **SECTION 2. (1) As used in this section, "business day" means any day other than a**  
7 **Saturday, a Sunday or a legal holiday described in ORS 187.010.**

8 **(2) If a vehicle dealer submits fees or documentation for registering and titling a vehicle,**  
9 **the Department of Transportation shall review the fees and documentation to determine**  
10 **whether all necessary fees, documentation and information are included. If the documenta-**  
11 **tion is missing or incomplete or a fee is miscalculated, the department shall notify the ve-**  
12 **hicle dealer by telephone or in writing of the missing documentation, incomplete information**  
13 **or miscalculated fee within two business days after making the determination and allow the**  
14 **vehicle dealer to submit the missing documentation, incomplete information or outstanding**  
15 **fees.**

16 **(3) The department shall establish a staffed vehicle dealer telephone number dedicated**  
17 **to assisting vehicle dealers responding to notices of missing documentation, incomplete in-**  
18 **formation or miscalculated fees. The telephone line shall be operational during normal**  
19 **working hours of the department. The department shall accept payments for miscalculated**  
20 **fees by credit card or debit card and by different methods, including but not limited to tele-**  
21 **phone, check, online or prepayment to an account accessible by the department for this**  
22 **purpose.**

23 **(4) The department may add a fee to the amount of any payment made by credit card or**  
24 **debit card in an amount reasonably calculated to offset the impact to the department of fi-**  
25 **nancial institution fees related to the transactions.**

26 **(5) If the department notifies the purchaser or lienholder that the department deter-**  
27 **mined that a vehicle dealer is missing documentation, submitted incomplete information or**  
28 **miscalculated the fees and the department later discovers that the department committed**

**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 an error, in addition to notifying the vehicle dealer, the department shall notify in writing  
2 the purchaser or lienholder of the department's error.

3 (6) The department shall by rule allow a vehicle dealer to elect to establish an account  
4 from which to make payments to the department for any monetary transaction between the  
5 vehicle dealer and the department.

6 (7) The provisions of this section apply to vehicle dealers who are authorized to act as  
7 agents of the department under ORS 802.031.

8 **SECTION 3.** (1) To assess delays in processing documentation and fees submitted by ve-  
9 hicle dealers related to missing documentation, incomplete information or miscalculated fees,  
10 the Department of Transportation shall conduct a study and keep track of the following for  
11 at least one calendar year:

12 (a) The causes of delays, including determining the causes that are the most and the  
13 least common;

14 (b) The number of delays related to payment of an incorrect fee;

15 (c) If there is a fee discrepancy, the average amount of the discrepancy;

16 (d) Whether a small number of vehicle dealers are responsible for a high number of de-  
17 lays; and

18 (e) Delays by employees of the department who incorrectly assert missing documenta-  
19 tion, incomplete information or miscalculated fees, to determine the types of delays that are  
20 caused by the department's error.

21 (2) The department shall submit a report, and may include recommendations for legis-  
22 lation, to the advisory committee on vehicle dealer regulation established in ORS 802.370,  
23 otherwise known as the Oregon Dealer Advisory Committee, no later than September 15,  
24 2025.

25 **SECTION 4.** Section 3 of this 2023 Act is repealed January 2, 2026.

26 **SECTION 5.** This 2023 Act takes effect on the 91st day after the date on which the 2023  
27 regular session of the Eighty-second Legislative Assembly adjourns sine die.

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