

# House Bill 2035

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Transportation)

## 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**.

Reduces number of convictions necessary to revoke driving privileges of habitual traffic offenders.

## A BILL FOR AN ACT

1  
2 Relating to habitual traffic offenders; creating new provisions; and amending ORS 809.600, 809.605  
3 and 809.610.

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

5 **SECTION 1.** ORS 809.600 is amended to read:

6 809.600. This section establishes the [*number and kind of offenses*] **kinds of offenses and the**  
7 **number of convictions** necessary to revoke the driving privileges of a person as a habitual offender  
8 under ORS 809.640. The [*number and kind of offenses*] **kinds of offenses and the number of con-**  
9 **victions** necessary to revoke driving privileges as a habitual offender are as follows:

10 (1) A person's driving privileges shall be revoked as a habitual offender if the person, within a  
11 five-year period, has been convicted of three or more of any one or more of the following offenses  
12 as evidenced by the records maintained by the Department of Transportation or by the records of  
13 a similar agency of another state:

14 (a) Any degree of murder, manslaughter, criminally negligent homicide, assault, recklessly en-  
15 dangering another person, menacing or criminal mischief resulting from the operation of a motor  
16 vehicle.

17 (b) Driving while under the influence of intoxicants under ORS 813.010.

18 (c) Criminally driving a motor vehicle while suspended or revoked, under ORS 811.182.

19 (d) Reckless driving under ORS 811.140.

20 (e) Failure to perform the duties of a driver under ORS 811.700 or 811.705.

21 (f) Fleeing or attempting to elude a police officer under ORS 811.540.

22 (2) A person's driving privileges shall be revoked as a habitual offender if the person, within a  
23 five-year period, has been convicted of [20] **15** or more of any one or more of the following offenses  
24 as evidenced by the records maintained by the department or by a similar agency of another state:

25 (a) Any offenses enumerated in subsection (1) of this section.

26 (b) Any offense specified in the rules of the department adopted under ORS 809.605.

27 (3) A person's driving privileges shall not be revoked under subsection (2) of this section until  
28 the person's [21st] **16th** conviction within a five-year period when the [20th] **15th** conviction occurs  
29 after a lapse of two years or more from the last preceding conviction.

30 (4) The offenses described under this section include any of the following:

31 (a) Any violation of a traffic ordinance of a city, municipal or quasi-municipal corporation that

**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 substantially conforms to offenses described under this section.

2 (b) Any violation of offenses under any federal law or any law of another state, including sub-  
3 divisions thereof, that substantially [*conforms*] **conform** to offenses described in this section.

4 **SECTION 2.** ORS 809.605 is amended to read:

5 809.605. The Department of Transportation shall adopt rules specifying which traffic offenses  
6 count for the purpose of determining that a person is a habitual offender under ORS 809.600 (2) be-  
7 cause the person has been convicted of [20] **15** or more traffic offenses.

8 **SECTION 3.** ORS 809.610 is amended to read:

9 809.610. (1) When the Department of Transportation receives an abstract of the conviction under  
10 ORS 810.375, and the conviction is the second one of those described by ORS 809.600 (1) for the  
11 person or the [19th] **14th** of those described by ORS 809.600 (2) for the person, the department may  
12 restrict the person's driving privileges and shall send the person notice of the restrictions by first  
13 class mail.

14 (2) A person notified under subsection (1) of this section of restrictions placed on the person's  
15 driving privileges may request a meeting with a representative of the department to determine  
16 whether the restrictions may be lifted.

17 **SECTION 4.** (1) **The amendments to ORS 809.600, 809.605 and 809.610 by sections 1 to 3**  
18 **of this 2007 Act apply to persons who, on the effective date of this 2007 Act, have fewer than**  
19 **15 convictions in the previous five years for offenses listed in ORS 809.600 (2) (2005 Edition).**

20 (2) **The provisions of ORS 809.600 (2005 Edition), 809.605 (2005 Edition) and 809.610 (2005**  
21 **Edition) apply to persons who, on the effective date of this 2007 Act, have 15 or more con-**  
22 **victions in the previous five years for offenses listed in ORS 809.600 (2) (2005 Edition).**

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