

Enrolled
House Bill 2147

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Attorney General Hardy Myers for Attorney General's Underage Drinking Task Force)

CHAPTER

AN ACT

Relating to denial of driving privileges of persons under 21 years of age; amending ORS 809.260.

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

SECTION 1. ORS 809.260 is amended to read:

809.260. (1) Whenever a person who is 17 years of age or younger, but not younger than 13 years of age, is convicted of any offense described in this subsection or determined by a juvenile court to have committed one of the described offenses, the court in which the person is convicted shall prepare and send to the Department of Transportation, within 24 hours of the conviction or determination, an order of denial of driving privileges for the person so convicted. This [section] **subsection** applies to ORS 166.370 and to any offense involving the delivery, manufacture or possession of controlled substances [*or the possession, use or abuse of alcohol*].

(2) Whenever a person who is 20 years of age or younger, but not younger than 13 years of age, is convicted of any offense described in this subsection or determined by a juvenile court to have committed one of the described offenses, the court in which the person is convicted shall prepare and send to the Department of Transportation, within 24 hours of the conviction or determination, an order of denial of driving privileges for the person so convicted. This subsection applies to any offense involving the possession, use or abuse of alcohol.

[(2)] (3) If a court has issued an order of denial of driving privileges under this section, the court, upon petition of the person, may review the order and may withdraw the order at any time the court deems appropriate except as provided in the following:

(a) A court may not withdraw an order for a period of 90 days following the issuance of the order if it is the first such order issued with respect to the person.

(b) A court may not withdraw an order for a period of one year following the issuance of the order if it is the second or subsequent such order issued with respect to the person.

(c) Notwithstanding paragraph (a) of this subsection, a court may not withdraw an order for a period of six months if the order is based on a determination or conviction involving controlled substances.

[(3)] (4) Upon receipt of an order under this section, the department shall take action as directed under ORS 809.280.

Passed by House February 15, 2007

Repassed by House May 18, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate May 15, 2007

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President of Senate

Received by Governor:

.....M,....., 2007

Approved:

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Governor

Filed in Office of Secretary of State:

.....M,....., 2007

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Secretary of State