

A-Engrossed
House Bill 2147

Ordered by the Senate May 10
Including Senate Amendments dated May 10

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)

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.

Expands age range for denial of driving privileges for specified persons.

A BILL FOR AN ACT

1
2 Relating to denial of driving privileges of persons under 21 years of age; amending ORS 809.260.

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

4 **SECTION 1.** ORS 809.260 is amended to read:

5 809.260. (1) Whenever a person who is 17 years of age or younger, but not younger than 13 years
6 of age, is convicted of any offense described in this subsection or determined by a juvenile court to
7 have committed one of the described offenses, the court in which the person is convicted shall pre-
8 pare and send to the Department of Transportation, within 24 hours of the conviction or determi-
9 nation, an order of denial of driving privileges for the person so convicted. This *[section]* **subsection**
10 applies to ORS 166.370 and to any offense involving the delivery, manufacture or possession of
11 controlled substances *[or the possession, use or abuse of alcohol]*.

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

19 *[(2)]* **(3)** If a court has issued an order of denial of driving privileges under this section, the
20 court, upon petition of the person, may review the order and may withdraw the order at any time
21 the court deems appropriate except as provided in the following:

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

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

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

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