

# 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)

## 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**.

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] **20** years of age or younger, but not younger than 13  
6 years of age, is convicted of any offense described in this subsection or determined by a juvenile  
7 court to have committed one of the described offenses, the court in which the person is convicted  
8 shall prepare and send to the Department of Transportation, within 24 hours of the conviction or  
9 determination, an order of denial of driving privileges for the person so convicted. This section ap-  
10 plies to ORS 166.370 and to any offense involving the delivery, manufacture or possession of con-  
11 trolled substances or the possession, use or abuse of alcohol.

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

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

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

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

22 (3) Upon receipt of an order under this section, the department shall take action as directed  
23 under ORS 809.280.  
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**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.