

## HOUSE AMENDMENTS TO HOUSE BILL 2176

By COMMITTEE ON TRANSPORTATION

March 26

- 1 On page 1 of the printed bill, line 3, after “807.090,” insert “807.270.”
- 2 On page 2, line 4, after “reviewing” insert “any”.
- 3 Delete lines 7 through 10 and insert:
- 4 “(4) The department may employ any qualified physician, nurse practitioner or physician assist-
- 5 ant who holds an unrestricted license in the State of Oregon to perform the duties assigned to the
- 6 medical determination officer by this section.”
- 7 In line 35, after “person’s” insert “eligibility for a driver license or driver permit.” and delete
- 8 “eligibility under ORS 807.090.”.
- 9 On page 3, line 15, delete “, except”.
- 10 In line 16, delete “that” and insert a period and delete “to an”.
- 11 Delete line 17 and insert “to a hearing under ORS 809.440.”.
- 12 After line 35, insert:
- 13 **“SECTION 4.** ORS 807.270 is amended to read:
- 14 “807.270. The Department of Transportation shall provide for issuance of probationary driver
- 15 permits in a manner consistent with this section. A probationary driver permit grants the driving
- 16 privileges provided in this section or under the permit. Except as otherwise provided in this section,
- 17 a probationary driver permit is subject to the fees, provisions, conditions, prohibitions and penalties
- 18 applicable to a Class C license. The following apply to a probationary driver permit:
- 19 “(1) The department may issue a probationary driver permit to a person whose driving privileges
- 20 have been revoked as a habitual offender under ORS 809.640.
- 21 “(2) The department may issue a probationary driver permit that is valid for the duration of the
- 22 revocation period unless the permit is suspended or revoked.
- 23 “(3) A probationary driver permit may only be issued to a person while that person’s driving
- 24 privileges and right to apply for driving privileges are otherwise revoked under ORS 809.640 because
- 25 the person has been determined to be a habitual offender.
- 26 “(4) The department may not issue a probationary driver permit authorizing operation of a
- 27 commercial motor vehicle.
- 28 “(5) The fee charged for application or issuance of a probationary driver permit is the
- 29 probationary driver permit application fee under ORS 807.370. The department may not refund the
- 30 fee if the application is denied or if the driver permit is suspended or revoked. The application fee
- 31 charged under this subsection is in addition to any fee charged for reinstatement of driving privi-
- 32 leges under ORS 807.370.
- 33 “(6) Before an applicant may be issued a probationary driver permit, the applicant must meet
- 34 the following qualifications in addition to any other qualifications for the permit:
- 35 “(a) The applicant must successfully complete a driver improvement course approved by the

1 department; and

2 “(b) The applicant must submit a report of a diagnostic examination conducted by a private  
3 physician showing to the satisfaction of the [*Director of Human Services*] **department** that the ap-  
4 plicant is physically and mentally competent to **safely** operate a motor vehicle.

5 “(7) A person who is issued a probationary driver permit must continually satisfy the conditions  
6 of the permit.

7 “(8) If a person issued a probationary driver permit is convicted of one offense described in ORS  
8 809.600 (1) or more than one offense described in ORS 809.600 (2) within any 12-month period, the  
9 permit shall be revoked and no license or permit may be issued for one year from the date of the  
10 revocation.

11 “(9) The department may establish by rule additional limitations for a probationary driver per-  
12 mit. The limitations may include any limitation, condition or requirement. Violation of a limitation  
13 is punishable as provided by ORS 811.175 and 811.182.

14 “(10) Upon receiving satisfactory evidence of any violation of the limitations placed on a  
15 probationary driver permit under this section, the department may suspend or revoke the  
16 probationary driver permit.”.

17

---