

Enrolled House Bill 2274

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Department of Transportation)

CHAPTER

AN ACT

Relating to safety corridors; amending ORS 153.131 and section 5, chapter 1071, Oregon Laws 1999; repealing section 6, chapter 1071, Oregon Laws 1999; and prescribing an effective date.

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

SECTION 1. Section 5, chapter 1071, Oregon Laws 1999, as amended by section 5a, chapter 1071, Oregon Laws 1999, section 1, chapter 421, Oregon Laws 2001, and section 3, chapter 100, Oregon Laws 2003, is amended to read:

Sec. 5. (1) *[In order to determine the effect of increasing fines in safety corridors,]* The Department of Transportation shall post signs in safety corridors chosen by the department indicating that fines for traffic offenses committed in those safety corridors will be doubled.

(2)(a) The base fine amount for a person charged with an offense that is listed in subsection (3)(a) or (b) of this section and that is committed in a safety corridor chosen by the department under subsection (1) of this section shall be the amount established under ORS 153.125 to 153.145, based on the foundation amount calculated under ORS 153.131. The minimum fine for a person convicted of an offense that is listed in subsection (3)(a) or (b) of this section and that is committed in a safety corridor is the base fine amount so calculated.

(b) The minimum fine for a person convicted of a misdemeanor offense that is listed in subsection (3)(c) to (g) of this section and that is committed in a safety corridor is 20 percent of the maximum fine established for the offense.

(c) The minimum fine for a person convicted of a felony offense that is listed in subsection (3)(c) to (g) of this section and that is committed in a safety corridor is two percent of the maximum fine established for the offense.

(3) This section applies to the following offenses if committed in the designated safety corridors:

- (a) Class A or Class B traffic violations.
- (b) Class C or Class D traffic violations related to exceeding a legal speed.
- (c) Reckless driving, as defined in ORS 811.140.
- (d) Driving while under the influence of intoxicants, as defined in ORS 813.010.
- (e) Failure to perform the duties of a driver involved in an accident or collision, as described in ORS 811.700 or 811.705.
- (f) Criminal driving while suspended or revoked, as defined in ORS 811.182.
- (g) Fleeing or attempting to elude a police officer, as defined in ORS 811.540.

(4) A court may not waive, reduce or suspend the base fine amount or minimum fine required by this section.

SECTION 2. ORS 153.131, as amended by section 5d, chapter 1071, Oregon Laws 1999, is amended to read:

153.131. If a person is charged with a traffic offense, and the enforcement officer issuing the citation notes on the citation that the offense occurred in a highway work zone and is subject to the provisions of ORS 811.230, [or] occurred in a posted school zone and is subject to the provisions of ORS 811.235, **or occurred in a safety corridor and is subject to the provisions of section 5, chapter 1071, Oregon Laws 1999**, the foundation amount to be used in calculating the base fine under ORS 153.125 to 153.145 is 80 percent of the maximum fine established for the violation.

SECTION 3. Section 6, chapter 1071, Oregon Laws 1999, as amended by section 3, chapter 421, Oregon Laws 2001, and section 1, chapter 100, Oregon Laws 2003, is repealed.

SECTION 4. This 2007 Act takes effect on December 31, 2007.

Passed by House February 8, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate April 2, 2007

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President of Senate

Received by Governor:

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

Approved:

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

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Governor

Filed in Office of Secretary of State:

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

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Secretary of State