

House Bill 2393

Sponsored by Representative ESQUIVEL (Presession filed.)

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**.

Requires persons 70 years of age or older to renew driver licenses every two years and to take driving test prior to renewal. Prorates fees.

A BILL FOR AN ACT

1
2 Relating to driver license renewal; creating new provisions; and amending ORS 807.130, 807.150 and
3 807.400.

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

5 **SECTION 1.** ORS 807.130 is amended to read:

6 807.130. (1) Except as otherwise provided in this section, a license that is issued as an original
7 license and not as a license that is renewed expires on the anniversary of the licensee's birthday:

8 (a) In the eighth calendar year after the year of issuance, **if the licensee is 64 years of age**
9 **or younger when the license is issued.**

10 (b) **On the date the licensee reaches 72 years of age, if the licensee is between 64 years**
11 **of age and 70 years of age when the license is issued.**

12 (c) **In the second calendar year after the year of issuance, if the licensee is 70 years of**
13 **age or older when the license is issued.**

14 (2) A license that is renewed under ORS 807.150 expires:

15 (a) Eight years from the specified expiration date of the immediately preceding license, **if the**
16 **licensee is 64 years of age or younger on the expiration date of the immediately preceding**
17 **license.**

18 (b) **On the date the licensee reaches 72 years of age, if the licensee is between 64 years**
19 **of age and 70 years of age on the expiration date of the immediately preceding license.**

20 (c) **Two years from the specified expiration date of the immediately preceding license, if**
21 **the licensee is 70 years of age or older on the expiration date of the immediately preceding**
22 **license.**

23 (3) A license that has expired does not grant driving privileges and is not valid evidence of
24 driving privileges.

25 **SECTION 2.** ORS 807.150 is amended to read:

26 807.150. (1) When a license expires or is about to expire, the Department of Transportation shall
27 renew the license under this section if the [*holder of*] **person who holds** the license qualifies for
28 renewal of the license under this section and:

29 (a) Applies for renewal within one year of the expiration of a similar license under ORS 807.130;
30 or

31 (b) Applies for issuance of a license within six months after the [*applicant*] **person** is discharged

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 from the Armed Forces of the United States and was licensed by this state at the time of the [*ap-*
2 *plicant's*] **person's** entry into the Armed Forces.

3 (2)(a) To qualify for renewal of a license under this section, a person must meet all of the re-
4 quirements under ORS 807.040 for the class of license sought to be renewed.[, *except that*] **If the**
5 **person applying for renewal is under 70 years of age**, the department may waive the examination
6 under ORS 807.070 of a person applying for renewal of a license unless the department has reason
7 to believe that the [*applicant*] **person** is not qualified to hold the license or unless the [*applicant for*
8 *renewal*] **person** has not previously been examined.

9 (b) **If the person applying for renewal is 70 years of age or older, the department shall**
10 **test the person's eyesight under ORS 807.070 (1) and the person's ability to operate a motor**
11 **vehicle under ORS 807.070 (3). The department may waive any other examination under ORS**
12 **807.070 of a person applying for renewal of a license unless the department has reason to**
13 **believe that the person is not qualified to hold the license or unless the person has not pre-**
14 **viously been examined.**

15 (3) To receive a renewal under this section, the license renewal fee and the Student Driver
16 Training Fund eligibility fee under ORS 807.370 must be paid. **For a license that expires as pro-**
17 **vided under ORS 807.130 (2)(b) or (c), the department shall prorate the renewal, examination**
18 **and Student Driver Training Fund eligibility fees.**

19 (4) If a person who applies for a renewal under this section is not qualified to renew the class
20 of license sought to be renewed, the department may issue the person any lower class of license for
21 which the person qualifies in lieu of renewing the person's license for the class of license held by
22 the person.

23 (5) A license that is renewed under this section may be used on or after the date of issuance.
24 If the department issues a license renewal to a person under this section before the expiration of
25 the license being renewed, the older license is invalid. A license that becomes invalid under this
26 subsection shall be destroyed by the person to whom it was issued.

27 (6) If the address of the [*applicant*] **person** has changed since the last time a license was issued
28 to or renewed for the [*applicant*] **person**, the department shall require proof to verify the address
29 of [*an applicant for renewal of a license*] **the person** in addition to anything else the department may
30 require of the [*applicant*] **person**.

31 **SECTION 3. The amendments to ORS 807.130 and 807.150 by sections 1 and 2 of this 2007**
32 **Act apply to licenses that expire on or after the effective date of this 2007 Act.**

33 **SECTION 4.** ORS 807.400 is amended to read:

34 807.400. (1) The Department of Transportation shall issue an identification card to any person
35 who:

- 36 (a) Is domiciled in or resident of this state, as described in ORS 807.062;
- 37 (b) Does not have a current, valid driver license; and
- 38 (c) Furnishes such evidence of the person's age and identity as the department may require.

39 (2) The department shall work with other agencies and organizations to attempt to improve the
40 issuance system for identification cards.

41 (3) Every original application for an identification card must be signed by the applicant. The
42 department shall require at least one document to verify the address of an applicant for issuance
43 of an identification card in addition to other documents the department may require of the applicant.
44 If the address of an applicant has changed since the last time an identification card was issued to
45 or renewed for the applicant, the department shall require proof to verify the address of an applicant

1 for renewal of an identification card, in addition to anything else the department may require.

2 (4) Every identification card shall be issued upon the standard license form described under ORS
 3 807.110 and shall bear a statement to the effect that the identification card is not a license or any
 4 other grant of driving privileges to operate a motor vehicle and is to be used for identification
 5 purposes only. The department shall use the same security procedures, processes, materials and
 6 features for an identification card as are required for a license under ORS 807.110.

7 (5) Upon order of the juvenile court, the department shall include on the card the fact that the
 8 person issued the identification card is an emancipated minor.

9 (6) Each original identification card shall expire on a date consistent with the expiration dates
 10 of licenses as set forth in ORS 807.130 (1)(a) and (2)(a), **regardless of the age of the person who**
 11 **holds the card.**

12 (7) Identification cards shall be renewed under the terms for renewal of licenses as set forth in
 13 ORS 807.150.

14 (8) The fee for an original identification card or a renewal thereof shall be the fee established
 15 under ORS 807.410. In no event shall the issuance or renewal of an identification card be subject
 16 to any fee in addition to that set forth in ORS 807.410.

17 (9) An identification card becomes invalid if the holder of the card changes residence address
 18 from that shown on the identification card and does not provide the department with notice of the
 19 change as required under ORS 807.420.

20 (10) If a person to whom an identification card was issued and who changes residence address
 21 appears in person at a department office that issues identification cards, the department may do any
 22 of the following:

23 (a) Issue a replacement identification card containing the new address upon receipt of the old
 24 identification card and payment of the fee established for issuing a replacement identification card
 25 with a changed address under ORS 807.410. Except as otherwise provided in subsection (12) of this
 26 section, the replacement identification card shall bear the same distinguishing number as the card
 27 being replaced.

28 (b) Note the new address on the old identification card in a manner to be determined by the
 29 department.

30 (11) An identification card becomes invalid if the holder of the card changes the person's name
 31 from that shown on the card, including a change of name by marriage, without providing the de-
 32 partment with notice of the change as required under ORS 807.420. Upon receiving such notice and
 33 the old identification card, the department shall issue a replacement identification card upon pay-
 34 ment of the fee required under ORS 807.410.

35 (12) In the event that, for a reason identified by the department by rule, a person needs a re-
 36 placement identification card that bears a different distinguishing number from the card being re-
 37 placed, the person to whom the card was issued may obtain a replacement card from the department
 38 upon furnishing proof satisfactory to the department of the need for such replacement and payment
 39 of the replacement fee under ORS 807.410.

40 (13) The department may establish by rule reasons for issuing replacement identification cards
 41 that are in addition to the reasons identified in subsections (10) to (12) of this section. The fee for
 42 a replacement identification card is provided under ORS 807.410.

43 (14) Upon cancellation of an identification card, the card is terminated and must be surrendered
 44 to the department. An identification card may be canceled for any of the reasons that driving priv-
 45 ileges or a license may be canceled under ORS 809.310. The department may reissue an identifica-

1 tion card canceled under this subsection when the applicant has satisfied all requirements for the
 2 identification card.

3 (15) Notwithstanding any other provision of this section, the department may issue an identifi-
 4 cation card to a person under this subsection without charge when the person surrenders a license
 5 or driver permit to the department for reasons described in this subsection. If the department issues
 6 an identification card under this subsection, the identification card shall expire at the same time
 7 as the surrendered driver license or driver permit would have expired. An identification card issued
 8 under this subsection is subject to the same requirements and fees for renewal or upon expiration
 9 as any other identification card issued under this section. The department may issue identification
 10 cards under this subsection as described under any of the following:

11 (a) The department may issue an identification card under this subsection to a person who vol-
 12 untarily surrenders a license or driver permit to the department based upon the person's recognition
 13 that the person is no longer competent to drive.

14 (b) The department may issue an identification card to a person under this subsection when the
 15 person's driving privileges are suspended under ORS 809.419 (1). This paragraph only applies if the
 16 person voluntarily surrenders the person's license or driver permit to the department as provided
 17 under ORS 809.500.

18 **SECTION 5.** ORS 807.400, as amended by section 8, chapter 775, Oregon Laws 2005, is amended
 19 to read:

20 807.400. (1) The Department of Transportation shall issue an identification card to any person
 21 who:

22 (a) Is domiciled in or resident of this state, as described in ORS 807.062;

23 (b) Does not have a current, valid driver license;

24 (c) Furnishes such evidence of the person's age and identity as the department may require; and

25 (d) Submits to collection of biometric data by the department that establish the identity of the
 26 person as provided in ORS 807.024.

27 (2) The department shall work with other agencies and organizations to attempt to improve the
 28 issuance system for identification cards.

29 (3) Every original application for an identification card must be signed by the applicant. The
 30 department shall require at least one document to verify the address of an applicant for issuance
 31 of an identification card in addition to other documents the department may require of the applicant.
 32 If the address of an applicant has changed since the last time an identification card was issued to
 33 or renewed for the applicant, the department shall require proof to verify the address of an applicant
 34 for renewal of an identification card, in addition to anything else the department may require.

35 (4) Every identification card shall be issued upon the standard license form described under ORS
 36 807.110 and shall bear a statement to the effect that the identification card is not a license or any
 37 other grant of driving privileges to operate a motor vehicle and is to be used for identification
 38 purposes only. The department shall use the same security procedures, processes, materials and
 39 features for an identification card as are required for a license under ORS 807.110.

40 (5) Upon order of the juvenile court, the department shall include on the card the fact that the
 41 person issued the identification card is an emancipated minor.

42 (6) Each original identification card shall expire on a date consistent with the expiration dates
 43 of licenses as set forth in ORS 807.130 **(1)(a) and (2)(a), regardless of the age of the person who**
 44 **holds the card.**

45 (7) Identification cards shall be renewed under the terms for renewal of licenses as set forth in

1 ORS 807.150.

2 (8) The fee for an original identification card or a renewal thereof shall be the fee established
3 under ORS 807.410.

4 (9) An identification card becomes invalid if the holder of the card changes residence address
5 from that shown on the identification card and does not provide the department with notice of the
6 change as required under ORS 807.420.

7 (10) If a person to whom an identification card was issued and who changes residence address
8 appears in person at a department office that issues identification cards, the department may do any
9 of the following:

10 (a) Issue a replacement identification card containing the new address upon receipt of the old
11 identification card and payment of the fee established for issuing a replacement identification card
12 with a changed address under ORS 807.410. Except as otherwise provided in subsection (12) of this
13 section, the replacement identification card shall bear the same distinguishing number as the card
14 being replaced.

15 (b) Note the new address on the old identification card in a manner to be determined by the
16 department.

17 (11) An identification card becomes invalid if the holder of the card changes the person's name
18 from that shown on the card, including a change of name by marriage, without providing the de-
19 partment with notice of the change as required under ORS 807.420. Upon receiving such notice and
20 the old identification card, the department shall issue a replacement identification card upon pay-
21 ment of the fee required under ORS 807.410.

22 (12) In the event that, for a reason identified by the department by rule, a person needs a re-
23 placement identification card that bears a different distinguishing number from the card being re-
24 placed, the person to whom the card was issued may obtain a replacement card from the department
25 upon furnishing proof satisfactory to the department of the need for such replacement and payment
26 of the replacement fee under ORS 807.410.

27 (13) The department may establish by rule reasons for issuing replacement identification cards
28 that are in addition to the reasons identified in subsections (10) to (12) of this section. The fee for
29 a replacement identification card is provided under ORS 807.410.

30 (14) Upon cancellation of an identification card, the card is terminated and must be surrendered
31 to the department. An identification card may be canceled for any of the reasons that driving priv-
32 ileges or a license may be canceled under ORS 809.310. The department may reissue an identifica-
33 tion card canceled under this subsection when the applicant has satisfied all requirements for the
34 identification card.

35 (15) Notwithstanding any other provision of this section, the department may issue an identifi-
36 cation card to a person under this subsection without charge when the person surrenders a license
37 or driver permit to the department for reasons described in this subsection. If the department issues
38 an identification card under this subsection, the identification card shall expire at the same time
39 as the surrendered driver license or driver permit would have expired. An identification card issued
40 under this subsection is subject to the same requirements and fees for renewal or upon expiration
41 as any other identification card issued under this section. The department may issue identification
42 cards under this subsection as described under any of the following:

43 (a) The department may issue an identification card under this subsection to a person who vol-
44 untarily surrenders a license or driver permit to the department based upon the person's recognition
45 that the person is no longer competent to drive.

1 (b) The department may issue an identification card to a person under this subsection when the
2 person's driving privileges are suspended under ORS 809.419 (1). This paragraph only applies if the
3 person voluntarily surrenders the person's license or driver permit to the department as provided
4 under ORS 809.500.

5
