

Enrolled
House Bill 2435

Sponsored by Representative GARRARD; Representative SCHAUFLEER (at the request of Auto Appraisers of Oregon)

CHAPTER

AN ACT

Relating to vehicle appraiser certificates; creating new provisions; and amending ORS 819.230 and 822.700.

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

SECTION 1. Sections 2 and 3 of this 2007 Act are added to and made a part of the Oregon Vehicle Code.

SECTION 2. (1) A person commits the offense of acting as a vehicle appraiser without a certificate if the person does not hold a vehicle appraiser certificate issued under ORS 819.230 and the person, for consideration, issues an opinion as to the value of a vehicle.

(2) This section does not apply to:

(a) A person who holds a vehicle dealer certificate issued or renewed under ORS 822.020 or 822.040 and who appraises vehicles in the operation of the vehicle dealer's business;

(b) A person from another jurisdiction who holds a vehicle appraiser certificate requiring qualifications substantially similar to qualifications required for the certification of a vehicle appraiser in this state;

(c) An insurance adjuster authorized to do business under ORS 744.505 or 744.515; or

(d) A person licensed or certified to appraise real estate under ORS 674.310 and who appraises the value of manufactured structures.

(3) The offense described in this section, acting as a vehicle appraiser without a certificate, is a Class A violation.

SECTION 3. "Vehicle appraiser" means an individual who has been issued a vehicle appraiser certificate under ORS 819.230 and who, for consideration, issues opinions as to the value of vehicles.

SECTION 4. ORS 819.230 is amended to read:

819.230. (1) A person who is issued [an] a **vehicle** appraiser certificate by the Department of Transportation under this section is qualified to appraise **any vehicle, including** vehicles for sale under ORS 819.210 and 819.220.

(2) The department shall establish rules to provide for issuance of **vehicle** appraiser certificates under this section. Rules adopted by the department under this section shall provide for all of the following:

(a) A method of ascertaining the qualifications and competence of individuals to conduct vehicle appraisals in accordance with the rules of the department and generally accepted methods of appraisal.

(b) A system for issuance of **vehicle** appraiser certificates to persons who qualify under the rules of the department.

(c) Procedures and grounds for revocation or suspension of **vehicle** appraiser certificates issued under this section if the department determines the person holding the certificate has violated the rules adopted by the department.

(d) A procedure for renewal of **vehicle** appraiser certificates issued under this section.

(3) The department may establish rules to adopt educational requirements for issuance or renewal of vehicle appraiser certificates.

~~[(3)]~~ **(4) Vehicle** appraiser certificates issued under this section are subject to the following:

(a) A certificate shall expire ~~[two]~~ **three** years from the date of issuance unless renewed according to the rules of the department.

(b) The department shall not issue ~~[an]~~ **a vehicle** appraiser certificate to a person until the person has paid the fee for issuance of ~~[an]~~ **a vehicle** appraiser certificate under ORS 822.700.

(c) The department shall not renew ~~[an]~~ **a vehicle** appraiser certificate issued under this section until the holder has paid the fee for renewal of ~~[an]~~ **a vehicle** appraiser certificate under ORS 822.700.

SECTION 5. ORS 822.700 is amended to read:

822.700. (1) Fee for issuance of dismantler certificates:

(a) \$450, for an original dismantler certificate covering a single place of business issued under ORS 822.110;

(b) \$90, for a supplemental certificate for each additional place of business to be covered by that certificate and operated under the same name; and

(c) \$30, for each duplicate dismantler certificate issued under ORS 822.110.

(2) Fee for renewal of dismantler certificate under ORS 822.125, \$450.

(3) Fee for original issuance of vehicle dealer certificate under ORS 822.020:

(a) \$958, for a certificate covering a single place of business;

(b) \$230, for each additional place of business to be covered by the certificate and operated under the same name; and

(c) \$30, for each corrected vehicle dealer certificate issued under ORS 822.040.

(4) Fee for renewal of vehicle dealer certificate under ORS 822.040:

(a) \$958, for renewal of a vehicle dealer certificate covering a single place of business; and

(b) \$230, for each additional place of business to be covered by the certificate and operated under the same name.

(5) Fee for issuance of towing business certificate under ORS 822.205, \$17 for each vehicle used for towing or recovery purposes.

(6) Fee for renewal of towing business certificate under ORS 822.210, \$17 for each vehicle used for towing or recovery purposes.

(7) Fee for issuance of vehicle transporter certificate under ORS 822.310, \$150.

(8) Fee for renewal of vehicle transporter certificate under ORS 822.310, \$150.

(9) Fee for issuance of driver training instructor certificate under ORS 822.530, \$100.

(10) Fee for renewal of driver training certificate under ORS 822.530, \$100.

(11) Fee for issuance of commercial driver training school certificate under ORS 822.515, \$200.

(12) Fee for renewal of commercial driver training school certificate under ORS 822.515, \$200.

(13) Fee for issuance of **vehicle** appraiser certificate under ORS 819.230, ~~[\$50]~~ **\$75**.

(14) Fee for renewal of ~~[an]~~ **vehicle** appraiser certificate under ORS 819.230, ~~[\$50]~~ **\$75**.

Passed by House May 11, 2007

Repassed by House June 11, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate June 8, 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