

B-Engrossed House Bill 2435

Ordered by the Senate June 6
Including House Amendments dated May 8 and Senate Amendments dated
June 6

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

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.

[Establishes two types of vehicle appraiser certificates.] **Defines "vehicle appraiser" for purposes of vehicle code.**

Creates offense of acting as vehicle appraiser without certificate. Punishes by fine not exceeding \$720.

A BILL FOR AN ACT

1
2 Relating to vehicle appraiser certificates; creating new provisions; and amending ORS 819.230 and
3 822.700.

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

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

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

10 **(2) This section does not apply to:**

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

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

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

17 **(d) A person licensed or certified to appraise real estate under ORS 674.310 and who ap-**
18 **praises the value of manufactured structures.**

19 **(3) The offense described in this section, acting as a vehicle appraiser without a certif-**
20 **icate, is a Class A violation.**

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

24 **SECTION 4. ORS 819.230 is amended to read:**

25 819.230. (1) A person who is issued [*an*] a **vehicle** appraiser certificate by the Department of
26 Transportation under this section is qualified to appraise **any vehicle, including** vehicles for sale

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 under ORS 819.210 and 819.220.

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

5 (a) A method of ascertaining the qualifications and competence of individuals to conduct vehicle
6 appraisals in accordance with the rules of the department and generally accepted methods of ap-
7 praisal.

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

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

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

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

16 ~~[(3)]~~ **(4) Vehicle** appraiser certificates issued under this section are subject to the following:

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

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

21 (c) The department shall not renew ~~[an]~~ **a vehicle** appraiser certificate issued under this section
22 until the holder has paid the fee for renewal of ~~[an]~~ **a vehicle** appraiser certificate under ORS
23 822.700.

24 **SECTION 5.** ORS 822.700 is amended to read:

25 822.700. (1) Fee for issuance of dismantler certificates:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1 (8) Fee for renewal of vehicle transporter certificate under ORS 822.310, \$150.
2 (9) Fee for issuance of driver training instructor certificate under ORS 822.530, \$100.
3 (10) Fee for renewal of driver training certificate under ORS 822.530, \$100.
4 (11) Fee for issuance of commercial driver training school certificate under ORS 822.515, \$200.
5 (12) Fee for renewal of commercial driver training school certificate under ORS 822.515, \$200.
6 (13) Fee for issuance of **vehicle** appraiser certificate under ORS 819.230, [~~\$50~~] **\$75**.
7 (14) Fee for renewal of [~~an~~] **vehicle** appraiser certificate under ORS 819.230, [~~\$50~~] **\$75**.
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