

House Bill 2435

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 **as introduced**.

Establishes four types of vehicle appraiser certificates.

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 to 7 of this 2007 Act are added to and made a part of the Oregon**
6 **Vehicle Code.**

7 **SECTION 2. (1) The Department of Transportation shall issue a vehicle appraiser certifi-**
8 **cate to a person if the person:**

9 (a) Certifies that the person has the experience required by section 5 of this 2007 Act;
10 and

11 (b) Pays the fee for issuance of a vehicle appraiser certificate under ORS 822.700.

12 (2) A vehicle appraiser certificate issued under this section is subject to the following:

13 (a) A certificate shall expire two years from the date of issuance unless renewed ac-
14 cording to rules adopted by the department.

15 (b) The department may not renew a certificate until the holder has paid the fee for re-
16 newal of the certificate under ORS 822.700.

17 (c) The department may not issue or renew a certificate if the department has reasonable
18 grounds to believe that the applicant has been convicted of a felony or misdemeanor involv-
19 ing fraud, dishonesty or moral turpitude during the three years prior to the date of applica-
20 tion for issuance or renewal.

21 (3) The department shall adopt rules to provide for issuance and renewal of vehicle ap-
22 praiser certificates under this section.

23 **SECTION 3. (1) The Department of Transportation shall issue a certified vehicle ap-**
24 **praiser certificate to a person if the person:**

25 (a) Certifies that the person has the experience required by section 5 of this 2007 Act;

26 (b) Certifies completion of the education requirements under section 6 of this 2007 Act;
27 and

28 (c) Pays the fee for issuance of a certified vehicle appraiser certificate under ORS 822.700.

29 (2) A certified vehicle appraiser certificate issued under this section shall expire two
30 years from the date of issuance unless renewed according to rules adopted by the depart-
31 ment. The department may renew a certificate if the applicant:

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 (a) Certifies completion of the education requirements under section 6 of this 2007 Act;
2 and

3 (b) Pays the fee for renewal of a certified vehicle appraiser certificate under ORS 822.700.

4 (3) The department may not issue or renew a certified vehicle appraiser certificate if the
5 department has reasonable grounds to believe that the applicant has been convicted of a
6 felony or misdemeanor involving fraud, dishonesty or moral turpitude during the three years
7 prior to the date of application for issuance or renewal.

8 (4) The department shall adopt rules to provide for issuance and renewal of certified ve-
9 hicle appraiser certificates under this section.

10 **SECTION 4.** (1) The Department of Transportation shall issue a master certified vehicle
11 appraiser certificate to a person if the person:

12 (a) Certifies that the person has the experience required by section 5 of this 2007 Act;

13 (b) Certifies completion of the education requirements under section 7 of this 2007 Act;
14 and

15 (c) Pays the fee for issuance of a master certified vehicle appraiser certificate under ORS
16 822.700.

17 (2) A master certified vehicle appraiser certificate issued under this section shall expire
18 two years from the date of issuance unless renewed according to rules adopted by the de-
19 partment. The department may renew a certificate if the applicant:

20 (a) Certifies completion of the education requirements under section 7 of this 2007 Act;
21 and

22 (b) Pays the fee for renewal of a master certified vehicle appraiser certificate under ORS
23 822.700.

24 (3) The department may not issue or renew a master certified vehicle appraiser certif-
25 icate if the department has reasonable grounds to believe that the applicant has been con-
26 victed of a felony or misdemeanor involving fraud, dishonesty or moral turpitude during the
27 three years prior to the date of application for issuance or renewal.

28 (4) The department shall adopt rules to provide for issuance and renewal of master cer-
29 tified vehicle appraiser certificates under this section.

30 **SECTION 5.** (1) Prior to issuance of a vehicle appraiser certificate under section 2 of this
31 2007 Act, a certified vehicle appraiser certificate under section 3 of this 2007 Act or a master
32 certified vehicle appraiser certificate under section 4 of this 2007 Act, a person must provide
33 to the Department of Transportation materials that demonstrate a total of at least two years
34 of experience in any of the following fields:

35 (a) New or used vehicle estimating while employed by a person issued a vehicle dealer
36 certificate under ORS 822.020.

37 (b) Repair estimating or insurance estimating in a motor vehicle body and frame repair
38 shop, as defined in ORS 746.275.

39 (c) Insurance appraisals or estimating performed on claims while employed in the motor
40 vehicle insurance industry.

41 (2) The department may accept other experience provided the applicant demonstrates
42 knowledge of vehicle estimating and appraisal methods.

43 **SECTION 6.** (1) The following education requirements apply to an applicant for a certified
44 vehicle appraiser certificate under section 3 of this 2007 Act:

45 (a) An applicant for issuance of a certificate must complete a minimum of four hours of

1 approved education programs described in subsection (2) of this section prior to submitting
 2 an application for issuance of the certificate; and

3 (b) An applicant for renewal of a certificate must have completed a minimum of two
 4 hours per year during the previous certification period of approved education programs de-
 5 scribed in subsection (2) of this section prior to submitting an application for renewal of the
 6 certificate.

7 (2) Education programs required under subsection (1) of this section may be developed
 8 by a motor vehicle industry organization and shall be submitted to the advisory committee
 9 established under ORS 802.370 for approval. The committee shall approve any program that
 10 pertains to vehicle appraisal and includes instruction in state and federal law.

11 (3) Education programs approved as required under subsection (2) of this section may be
 12 provided by accredited educational institutions, private vocational schools, correspondence
 13 schools or trade associations.

14 **SECTION 7.** (1) The following education requirements apply to an applicant for a master
 15 certified vehicle appraiser certificate under section 4 of this 2007 Act:

16 (a) An applicant for issuance of a certificate must complete a minimum of eight hours
 17 of approved education programs described in subsection (2) of this section prior to submit-
 18 ting an application for issuance of the certificate; and

19 (b) An applicant for renewal of a certificate must have completed a minimum of two
 20 hours per year during the previous certification period of approved education programs de-
 21 scribed in subsection (2) of this section prior to submitting an application for renewal of the
 22 certificate.

23 (2) Education programs required under subsection (1) of this section may be developed
 24 by a motor vehicle industry organization and shall be submitted to the advisory committee
 25 established under ORS 802.370 for approval. The committee shall approve any program that
 26 pertains to vehicle appraisal and includes instruction in state and federal law.

27 (3) Education programs approved as required under subsection (2) of this section may be
 28 provided by accredited educational institutions, private vocational schools, correspondence
 29 schools or trade associations.

30 **SECTION 8.** ORS 819.230 is amended to read:

31 819.230. (1) A person who is issued an **abandoned vehicle** appraiser certificate by the Depart-
 32 ment of Transportation under this section is qualified to appraise vehicles for sale under ORS
 33 819.210 and 819.220.

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

37 (a) A method of ascertaining the qualifications and competence of individuals to conduct **aban-**
 38 **doned** vehicle appraisals in accordance with the rules of the department and generally accepted
 39 methods of appraisal.

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

42 (c) Procedures and grounds for revocation or suspension of **abandoned vehicle** appraiser cer-
 43 tificates issued under this section if the department determines the person holding the certificate
 44 has violated the rules adopted by the department.

45 (d) A procedure for renewal of **abandoned vehicle** appraiser certificates issued under this sec-

1 tion.

2 (3) **Abandoned vehicle** appraiser certificates issued under this section are subject to the fol-
 3 lowing:

4 (a) A certificate shall expire two years from the date of issuance unless renewed according to
 5 the rules of the department.

6 (b) The department shall not issue an **abandoned vehicle** appraiser certificate to a person until
 7 the person has paid the fee for issuance of an **abandoned vehicle** appraiser certificate under ORS
 8 822.700.

9 (c) The department shall not renew an **abandoned vehicle** appraiser certificate issued under
 10 this section until the holder has paid the fee for renewal of an **abandoned vehicle** appraiser cer-
 11 tificate under ORS 822.700.

12 **SECTION 9.** ORS 822.700 is amended to read:

13 822.700. (1) Fee for issuance of dismantler certificates:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39 (13) Fee for issuance of **an abandoned vehicle** appraiser certificate under ORS 819.230, \$50.

40 (14) Fee for renewal of an **abandoned vehicle** appraiser certificate under ORS 819.230, \$50.

41 **(15) Fee for issuance of a vehicle appraiser certificate under section 2 of this 2007 Act,**
 42 **\$50.**

43 **(16) Fee for renewal of a vehicle appraiser certificate under section 2 of this 2007 Act,**
 44 **\$50.**

45 **(17) Fee for issuance of a certified vehicle appraiser certificate under section 3 of this**

1 **2007 Act, \$50.**

2 **(18) Fee for renewal of a certified vehicle appraiser certificate under section 3 of this 2007**
3 **Act, \$50.**

4 **(19) Fee for issuance of a master certified vehicle appraiser certificate under section 4**
5 **of this 2007 Act, \$50.**

6 **(20) Fee for renewal of a master certified vehicle appraiser certificate under section 4 of**
7 **this 2007 Act, \$50.**

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