

Enrolled
House Bill 2936

Sponsored by Representative JENSON (at the request of Umatilla County Solid Waste Commission, Mike Monroe)

CHAPTER

AN ACT

Relating to motor vehicles; creating new provisions; and amending ORS 803.420, 818.340 and 818.420.

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

SECTION 1. ORS 803.420 is amended to read:

803.420. This section establishes registration fees for vehicles. If there is uncertainty as to the classification of a vehicle for purposes of the payment of registration fees under the vehicle code, the Department of Transportation may classify the vehicle to assure that registration fees for the vehicle are the same as for vehicles the department determines to be comparable. The registration fees for the vehicle shall be those based on the classification determined by the department. Except as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described in this section are for an entire registration period for the vehicle as described under ORS 803.415. The department shall apportion any fee under this section to reflect the number of quarters registered for a vehicle registered for a quarterly registration period under ORS 803.415. The fees are payable when a vehicle is registered and upon renewal of registration. Except as provided in ORS 801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing body of a county or by the governing body of a district, as defined in ORS 801.237 under ORS 801.041 or 801.042 as an additional registration fee for the vehicle. The fees for registration of vehicles are as follows:

- (1) Vehicles not otherwise provided for in this section or ORS 821.320, \$27 for each year of the registration period.
- (2) Mopeds, \$15 for each year of the registration period.
- (3) Motorcycles, \$15 for each year of the registration period.
- (4) Government-owned vehicles registered under ORS 805.040, \$3.50.
- (5) State-owned vehicles registered under ORS 805.045, \$3.50 on registration or renewal.
- (6) Undercover vehicles registered under ORS 805.060, \$3.50 on registration or renewal.
- (7) Antique vehicles registered under ORS 805.010, \$54.
- (8) Vehicles of special interest registered under ORS 805.020, \$81.
- (9) Electric vehicles and hybrid vehicles that use electricity and another source of motive power, as follows:
 - (a) The registration fee for an electric or hybrid vehicle not otherwise described in this subsection is \$27 for each year of the registration period.
 - (b) The registration fee for electric or hybrid vehicles that have two or three wheels is \$27. This paragraph does not apply to electric or hybrid mopeds. Electric or hybrid mopeds are subject to the same registration fee as otherwise provided for mopeds under this section.

(c) The registration fees for the following electric or hybrid vehicles are the same as for comparable nonelectric vehicles described in this section plus 50 percent of such fee:

(A) Motor homes.

(B) Commercial buses.

(C) Vehicles registered as farm vehicles under ORS 805.300.

(D) Vehicles required to establish registration weight under ORS 803.430 or 826.013.

(10) Motor vehicles required to establish a registration weight under ORS 803.430 or 826.013, and commercial buses as provided in the following chart, based upon the weight submitted in the declaration of weight prepared under ORS 803.435 or 826.015:

Weight in Pounds	Fee
8,000 or less	\$ 27
8,001 to 10,000	169
10,001 to 12,000	192
12,001 to 14,000	215
14,001 to 16,000	238
16,001 to 18,000	261
18,001 to 20,000	291
20,001 to 22,000	314
22,001 to 24,000	345
24,001 to 26,000	375
26,001 to 28,000	184
28,001 to 30,000	192
30,001 to 32,000	207
32,001 to 34,000	215
34,001 to 36,000	230
36,001 to 38,000	238
38,001 to 40,000	253
40,001 to 42,000	261
42,001 to 44,000	276
44,001 to 46,000	284
46,001 to 48,000	291
48,001 to 50,000	307
50,001 to 52,000	322
52,001 to 54,000	330
54,001 to 56,000	337
56,001 to 58,000	352
58,001 to 60,000	368
60,001 to 62,000	383
62,001 to 64,000	398
64,001 to 66,000	406
66,001 to 68,000	421
68,001 to 70,000	429
70,001 to 72,000	444
72,001 to 74,000	452
74,001 to 76,000	467
76,001 to 78,000	475
78,001 to 80,000	490
80,001 to 82,000	498
82,001 to 84,000	513
84,001 to 86,000	521

86,001 to	88,000	536
88,001 to	90,000	544
90,001 to	92,000	559
92,001 to	94,000	567
94,001 to	96,000	582
96,001 to	98,000	590
98,001 to	100,000	598
100,001 to	102,000	613
102,001 to	104,000	621
104,001 to	105,500	636

(11)(a) Motor vehicles with a registration weight of more than 8,000 pounds that are described in ORS 825.015, that are operated by a charitable organization as defined in ORS 825.017 (14), that are certified under ORS 822.205 or that are used exclusively to transport manufactured structures, as provided in the following chart:

Weight in Pounds	Fee
8,001 to 10,000	\$ 50
10,001 to 12,000	60
12,001 to 14,000	65
14,001 to 16,000	75
16,001 to 18,000	80
18,001 to 20,000	90
20,001 to 22,000	95
22,001 to 24,000	105
24,001 to 26,000	110
26,001 to 28,000	120
28,001 to 30,000	125
30,001 to 32,000	135
32,001 to 34,000	140
34,001 to 36,000	150
36,001 to 38,000	155
38,001 to 40,000	165
40,001 to 42,000	170
42,001 to 44,000	180
44,001 to 46,000	185
46,001 to 48,000	190
48,001 to 50,000	200
50,001 to 52,000	210
52,001 to 54,000	215
54,001 to 56,000	220
56,001 to 58,000	230
58,001 to 60,000	240
60,001 to 62,000	250
62,001 to 64,000	260
64,001 to 66,000	265
66,001 to 68,000	275
68,001 to 70,000	280
70,001 to 72,000	290
72,001 to 74,000	295

74,001 to	76,000	305
76,001 to	78,000	310
78,001 to	80,000	320
80,001 to	82,000	325
82,001 to	84,000	335
84,001 to	86,000	340
86,001 to	88,000	350
88,001 to	90,000	355
90,001 to	92,000	365
92,001 to	94,000	370
94,001 to	96,000	380
96,001 to	98,000	385
98,001 to	100,000	390
100,001 to	102,000	400
102,001 to	104,000	405
104,001 to	105,500	415

(b) The owner of a vehicle described in paragraph (a) of this subsection must certify at the time of initial registration, in a manner determined by the department by rule, that the motor vehicle will be used exclusively to transport manufactured structures or exclusively as described in ORS 822.210, 825.015 or 825.017 (14). Registration of a vehicle described in paragraph (a) of this subsection is invalid if the vehicle is operated in any manner other than that described in the certification under this paragraph.

(12) Trailers registered under permanent registration, \$10.

(13) Fixed load vehicles as follows:

(a) If a declaration of weight described under ORS 803.435 is submitted establishing the weight of the vehicle at 3,000 pounds or less, \$54.

(b) If no declaration of weight is submitted or if the weight of the vehicle is in excess of 3,000 pounds, \$75.

(14) Trailers for hire that are equipped with pneumatic tires made of an elastic material and that are not travel trailers or trailers registered under permanent registration, \$27.

(15) Trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500, the same as the fee for vehicles of the same type registered under other provisions of the Oregon Vehicle Code.

(16) Travel trailers, campers and motor homes as follows, based on length as determined under ORS 803.425:

(a) For travel trailers or campers that are 6 to 10 feet in length, \$81.

(b) For travel trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of length over the first 10 feet.

(c) For motor homes that are 6 to ~~10~~ 14 feet in length, ~~126~~ \$54.

(d) For motor homes over ~~10~~ 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over the first 10 feet.

(17) Special use trailers as follows, based on length as determined under ORS 803.425:

(a) For lengths 6 to 10 feet, \$54.

(b) For special use trailers over 10 feet in length, \$54 plus \$3 a foot for each foot of length over the first 10 feet.

(18) Fees for vehicles with proportional registration under ORS 826.009, or proportioned fleet registration under ORS 826.011, are as provided for vehicles of the same type under this section except that the fees shall be fixed on an apportioned basis as provided under the agreement established under ORS 826.007.

(19) For any vehicle that is registered under a quarterly registration period, a minimum of \$15 for each quarter registered plus an additional fee of \$1.

(20) In addition to any other fees charged for registration of vehicles in fleets under ORS 805.120, the department may charge the following fees:

(a) A \$2 service charge for each vehicle entered into a fleet.

(b) A \$1 service charge for each vehicle in the fleet at the time of renewal.

(21) The registration fee for vehicles with special registration for disabled veterans under ORS 805.100 is a fee of \$15.

(22) Subject to subsection (19) of this section, the registration fee for motor vehicles registered as farm vehicles under ORS 805.300 is as follows based upon the registration weight given in the declaration of weight submitted under ORS 803.435:

Weight in Pounds	Fee
8,000 or less	\$ 27
8,001 to 10,000	30
10,001 to 12,000	35
12,001 to 14,000	45
14,001 to 16,000	50
16,001 to 18,000	60
18,001 to 20,000	65
20,001 to 22,000	75
22,001 to 24,000	80
24,001 to 26,000	90
26,001 to 28,000	95
28,001 to 30,000	105
30,001 to 32,000	110
32,001 to 34,000	120
34,001 to 36,000	125
36,001 to 38,000	135
38,001 to 40,000	140
40,001 to 42,000	150
42,001 to 44,000	155
44,001 to 46,000	165
46,001 to 48,000	170
48,001 to 50,000	180
50,001 to 52,000	185
52,001 to 54,000	190
54,001 to 56,000	200
56,001 to 58,000	210
58,001 to 60,000	215
60,001 to 62,000	220
62,001 to 64,000	230
64,001 to 66,000	240
66,001 to 68,000	245
68,001 to 70,000	250
70,001 to 72,000	260
72,001 to 74,000	265
74,001 to 76,000	275
76,001 to 78,000	280
78,001 to 80,000	290
80,001 to 82,000	295

82,001 to	84,000	305
84,001 to	86,000	310
86,001 to	88,000	320
88,001 to	90,000	325
90,001 to	92,000	335
92,001 to	94,000	340
94,001 to	96,000	350
96,001 to	98,000	355
98,001 to	100,000	365
100,001 to	102,000	370
102,001 to	104,000	380
104,001 to	105,500	385

(23) The registration fee for school vehicles registered under ORS 805.050 is \$7.50.

(24) The registration fee for a low-speed vehicle is \$54.

(25) A rental or leasing company, as defined in ORS 221.275, that elects to initially register a vehicle for an annual or biennial registration period shall pay a fee of \$1 in addition to the vehicle registration fee provided under this section.

SECTION 2. ORS 818.340 is amended to read:

818.340. (1) A person commits the offense of operating in violation of a variance permit if the person has been issued a variance permit under ORS 818.200 that authorized the movement of anything and the person does any of the following:

(a) Drives, moves or operates anything in violation of the terms of the permit.

(b) Owns anything and causes or permits it to be driven, moved or operated in violation of the permit. Operation in violation of this section is prima facie evidence that the owner caused or permitted the operation and the owner shall be liable for any penalties imposed under subsection (5) of this section as a result of the operation.

(2) A person is in violation of the terms of a permit for purposes of this section if the person misrepresents any size or weight required to be specified when applying for the permit.

(3) It shall be a defense to any charge of violation of this section if the person so charged produces a variance permit issued under ORS 818.200 that authorized the operation and that was issued prior to and valid at the time of operation.

(4) Violation of the offense described in this section is subject to civil liability under ORS 818.410.

(5) The offense described in this section, operating in violation of a variance permit, is punishable according to the following:

(a) Violation of any provisions of the permit other than weight provisions is a **Class A traffic violation** [*punishable according to the schedule of penalties under ORS 818.420*].

(b) Violation of any weight provision by a vehicle that is authorized by permit to exceed axle or tandem axle weights specified in ORS 818.010 (1) or (2) is subject to penalty under Schedule II of the penalties in ORS 818.430.

(c) Violation of any weight provision by a vehicle listed in ORS 818.210 is subject to penalty under Schedule I of the penalties in ORS 818.430.

SECTION 3. ORS 818.420 is amended to read:

818.420. (1) This subsection establishes a schedule of penalties for certain offenses in ORS [818.060, 818.090 and 818.340] **818.060 and 818.090**. Commission of any of the described offenses relating to height or width limits is punishable according to the following schedule:

(a) Except as otherwise provided in this section, upon a first conviction, an offense is punishable as a Class D traffic violation.

(b) Upon a second conviction within one year after the first conviction, an offense is punishable as a Class C traffic violation.

(c) Upon a third or subsequent conviction within one year after the first conviction, an offense is punishable as a Class B traffic violation.

(2) Any offense that is described in ORS [818.060, 818.090 or 818.340] 818.060 or 818.090 and that is not punishable under subsection (1) of this section, is punishable as a Class D traffic violation.

SECTION 4. (1) The driver of a motor vehicle commits the offense of failure to remove a motor vehicle from the highway if, after an accident:

(a) The driver has not suffered any apparent personal injury;

(b) The motor vehicle is operable and does not require towing;

(c) It is safe to drive the motor vehicle to a designated parking area along the highway or shoulder of the highway; and

(d) The driver does not move the motor vehicle to a designated parking area along the highway or shoulder of the highway.

(2) The offense described in this section, failure to remove a motor vehicle from the highway, is a Class C traffic violation.

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Repassed by House June 11, 2007

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

Approved:

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Chief Clerk of House

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

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Speaker of House

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Governor

Passed by Senate June 6, 2007

Filed in Office of Secretary of State:

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President of Senate

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

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Secretary of State