

House Bill 2970

Sponsored by COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

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**.

Clarifies suspension and revocation of violator's license pursuant to Wildlife Violator Compact.

A BILL FOR AN ACT

Relating to Wildlife Violator Compact; creating new provisions; and amending ORS 497.415.

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

SECTION 1. ORS 497.415 is amended to read:

497.415. (1) Except as provided in ORS 497.435, when any person is convicted of a violation of law or any rule adopted pursuant thereto or otherwise fails to comply with the requirements of a citation in connection with such violation as provided in subsection (2) of this section, the court may order the State Fish and Wildlife Commission to revoke such of the licenses, tags and permits issued to that person pursuant to the wildlife laws as the court considers appropriate. Revocation of licenses, tags and permits is in addition to and not in lieu of other penalties provided by law.

(2) The license, tag and permit revocation provisions of subsection (1) of this section apply to the following persons:

(a) Any person who is convicted of a violation of the wildlife laws, or any rule adopted pursuant thereto, or who otherwise fails to comply with the requirements of a citation in connection with any such offense when the base fine amount for the offense is \$50 or more.

(b) Any person who is convicted of a violation of ORS 164.245, 164.255, 164.265, 164.345, 164.354 or 164.365 committed while the person was angling, taking shellfish, hunting or trapping or who otherwise fails to comply with the requirements of a citation in connection with any such offense when the base fine amount for the offense is \$50 or more.

(c) Any person who is convicted of a violation of ORS 166.630 or 166.638 committed while hunting or who otherwise fails to comply with the requirements of a citation in connection with any such offense when the base fine amount for the offense is \$50 or more.

(3) When a court orders the revocation of a license, tag or permit pursuant to this section or ORS 497.435, the court shall take up any such licenses, tags and permits and forward them, together with a copy of the revocation order, to the commission. Upon receipt thereof, the commission shall cause revocation of the appropriate licenses, tags and permits in accordance with the court order.

(4) For purposes of the Wildlife Violator Compact, *the commission shall*:

(a) **The commission shall** suspend a violator's license **as defined in ORS 496.750** for failure to comply with the terms of a citation from a party state. A copy of a report of failure to comply from the licensing authority of the issuing state shall be conclusive evidence. **Suspension under this paragraph commences on the date the commission issues a final order pursuant to the provisions of ORS chapter 183 to suspend the license in this state. The period of suspension**

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 this paragraph is the period provided by Oregon law or such longer period as provided**
2 **by commission rule based on the period of suspension imposed by the party state.**

3 (b) **The commission shall** revoke a violator’s license **as defined in ORS 496.750** for a con-
4 viction in a party state. A report of conviction from the licensing authority of the issuing state shall
5 be conclusive evidence. **Revocation under this paragraph commences on the date the com-**
6 **mission issues a final order pursuant to the provisions of ORS chapter 183 to revoke the li-**
7 **cence in this state. The period of revocation under this paragraph is the period provided by**
8 **Oregon law or such longer period as provided by commission rule based on the period of re-**
9 **vocation imposed by the party state.**

10 (5)(a) No person who has had a license, tag or permit revoked pursuant to this section for the
11 first time shall apply for or obtain another such license, tag or permit for the period of 24 months
12 from the date the court **or commission** ordered the revocation.

13 (b) Upon having a license, tag or permit revoked for a second time pursuant to this section, no
14 person shall apply for or obtain another such license, tag or permit for the period of three years.

15 (c) Upon having a license, tag or permit revoked for a third or subsequent time pursuant to this
16 section, no person shall apply for or obtain another such license, tag or permit for the period of five
17 years.

18 (6)(a) If a person convicted of conduct described in subsection (2) of this section does not pos-
19 sess at the time of conviction those licenses, tags and permits issued pursuant to the wildlife laws
20 that the court would have revoked pursuant to this section, the court shall specify by order those
21 licenses, tags and permits that would have been revoked and shall forward a copy of the order to
22 the commission. No person who is the subject of such a court order shall apply for, possess or obtain
23 another such license, tag or permit for the period of 24 months from the date of the order.

24 (b) Upon being the subject of a court order under this subsection for a second time, no person
25 shall apply for or obtain another such license, tag or permit for the period of three years.

26 (c) Upon being the subject of a court order under this subsection for a third or subsequent time,
27 no person shall apply for or obtain another such license, tag or permit for the period of five years.

28 **SECTION 2. The amendments to ORS 497.415 by section 1 of this 2007 Act apply only to**
29 **the suspension or revocation of a violator’s license by a party state made on or after the**
30 **effective date of this 2007 Act.**

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