

# Enrolled House Bill 3161

Sponsored by Representative BARKER; Representatives BUCKLEY, MINNIS, RICHARDSON, WHISNANT, Senator AVAKIAN (at the request of Mac MacDonald, United Veterans Groups of Oregon)

CHAPTER .....

AN ACT

Relating to veterans' recognition registration plate; creating new provisions; and amending ORS 803.535, 805.200, 805.202, 805.205, 805.206 and 805.208.

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

**SECTION 1. Section 2 of this 2007 Act is added to and made a part of the Oregon Vehicle Code.**

**SECTION 2. (1) The Department of Transportation shall establish a veterans' recognition registration plate program to issue registration plates called "veterans' recognition registration plates" upon request to an owner of any motor vehicle registered under ORS 803.420 (1) or (9)(a) if the owner of the motor vehicle qualifies for the plates. Rules adopted under this section shall include, but need not be limited to, rules that:**

**(a) Describe general qualifications to be met by any veterans' group in order to be eligible for a veterans' recognition registration plate issued under this section.**

**(b) Specify circumstances under which the department may cease to issue veterans' recognition registration plates.**

**(c) Specify what constitutes proof of veteran status for issuance of a veterans' recognition registration plate, if such proof is required by a veterans' group or by the Director of Veterans' Affairs.**

**(d) Specify what constitutes proof that a person is a surviving family member of a person who was killed in action during an armed conflict while serving in the Armed Forces of the United States. The department may only issue a veteran's recognition registration plate displaying a gold star decal and the words "Gold Star Family" to a person who is a parent, spouse or dependent of a person who was killed in action during an armed conflict while serving in the Armed Forces of the United States.**

**(2)(a) In addition to any other fee authorized by law, upon issuance of a veterans' recognition registration plate under this section and upon renewal of registration for a vehicle that has plates issued under this section, the department shall collect a surcharge of \$2.50 per plate for each year of the registration period for the vehicle as described under ORS 803.415.**

**(b) Except as otherwise provided in paragraph (c) of this subsection, net proceeds of the surcharge collected by the department for the veterans' recognition registration plate shall be deposited in the trust fund established under ORS 406.050 for paying the expenses of operating the Oregon Veterans' Home.**

(c) If the department issues a veterans' recognition registration plate that names, describes or represents a veterans' group, that veterans' group may designate an account into which the net proceeds of the surcharge collected by the department under this section are to be deposited. The department shall keep accurate records of the number of plates issued under this paragraph for each veterans' group and, after payment of administrative expenses of the department, shall deposit moneys collected under this subsection into the specified account.

(d) Deposits under this subsection shall be made quarterly.

(3)(a) In consultation with the Department of Transportation, the Director of Veterans' Affairs shall design the veterans' recognition registration plate.

(b) If the department issues a veterans' recognition registration plate to recognize a veterans' group, the department shall, in consultation with the requesting veterans' group, add words or a military related-decal to the veterans' recognition registration plate that names, describes or represents the veterans' group.

(c) The department shall add a gold star decal and the words "Gold Star Family" to a veterans' recognition registration plate background to recognize surviving family members of persons killed in action during an armed conflict while serving in the Armed Forces of the United States.

(d) Except as otherwise required by the design, veterans' recognition registration plates must comply with the requirements of ORS 803.535.

(4) The department shall determine how many sets of veterans' recognition registration plates will be manufactured. If the department does not sell or issue renewal for 500 sets of veterans' recognition registration plates in any one year, the department shall cease production of veterans' recognition registration plates. For the purposes of this section, veterans' recognition registration plates that name, describe or represent a veterans' group are included in the total number of veterans' recognition registration plates issued.

**SECTION 3.** (1) The Director of Veterans' Affairs shall pay to the Department of Transportation all of the department's anticipated costs of issuance of the veterans' recognition registration plate from grants, donations and gifts accepted by the director under ORS 406.050 that may be expended for the purpose of issuance of a veterans' recognition registration plate.

(2) If a veterans' group requests issuance of a veterans' recognition registration plate under section 2 of this 2007 Act, the group shall pay to the department all of the department's anticipated costs of issuing a veterans' recognition registration plate that names, describes or represents the group. The department may not begin creating or issuing the plates until the anticipated costs are paid. For purposes of this section, costs of issuing a veterans' recognition registration plate that names, describes or represents a veterans' group include, but are not limited to, computer programming costs and vendor set-up fees.

**SECTION 4.** ORS 803.535 is amended to read:

803.535. Subject to ORS 805.205 and section 2 of this 2007 Act and the following, the Department of Transportation shall select registration plates it issues:

(1) Registration plates shall be in the size, form and arrangement and made of materials determined by the department subject to the following:

(a) Except as otherwise provided in paragraph (f) of this subsection, the design of the registration plates shall be that chosen by the commission from entries in the contest held pursuant to chapter 572, Oregon Laws 1987.

(b) If registration plates are issued, means shall be provided for identifying the vehicle from the front and rear by means of characters or numerals.

(c) All plates shall be made with a reflective material, so as to be a fully reflectorized safety plate. The reflectorized material shall be of such a nature as to provide effective dependable brightness in the promotion of traffic safety during the service period of the plate issued.

(d) Except as otherwise authorized under ORS 805.200, all plates shall contain the distinctive number or characters assigned to the vehicle and the word "Oregon."

(e) When a pair of registration plates is issued, each plate shall bear the same identification as the other plate of the pair.

(f) The department may choose plates for vehicles that are not required to display plates from the series produced as provided in chapter 572, Oregon Laws 1987. Nothing in this paragraph prohibits the department from issuing plates from the series produced as provided in chapter 572, Oregon Laws 1987, for vehicles that are not required to display such plates.

(2) The department may provide for designation of the registration period for which the registration is issued on the plate by means of stickers described under ORS 803.555 or any other method the department determines appropriate.

(3) The department may provide plates that may be used on a vehicle for successive registration periods when validated by one or more stickers described under ORS 803.555.

**SECTION 5.** ORS 805.200 is amended to read:

805.200. (1) The Department of Transportation by rule:

(a) Shall design plates, stickers, plate and sticker combinations or other devices or indicia that distinguish government-owned vehicles registered under the provisions of ORS 805.040 from other vehicles.

(b) May design plates, stickers, plate and sticker combinations or other devices or indicia for distinguishing vehicles registered under specific provisions of the Oregon Vehicle Code other than ORS 805.040 or 805.205 **or section 2 of this 2007 Act**. Plates designed under this paragraph shall comply with the requirements of ORS 803.535. The fees for plates or indicia described in this paragraph are provided under ORS 805.250.

(2) Unless otherwise provided by statute or by rule of the department, indicia of registration that distinguish one kind of registration from another may not be transferred unless the new owner of the vehicle qualifies for that specific kind of registration.

(3) The department may adopt rules concerning the disposition of plates, stickers, devices or other indicia of registration upon transfer of ownership of the vehicle or when the owner or the vehicle is no longer eligible for the particular indicia. The department may cancel or revoke registration for failure to comply with rules adopted under this section.

**SECTION 6.** ORS 805.202 is amended to read:

805.202. (1) As used in this section, "special registration plate" means a registration plate issued by the Department of Transportation:

(a) For which a surcharge is imposed in order to raise money for an entity other than the department;

(b) That is not a [group] plate issued under ORS 805.205 **or section 2 of this 2007 Act**;

(c) That is not an elected official plate issued under ORS 805.220; and

(d) That is not a customized plate issued under ORS 805.240.

(2) The Legislative Assembly may not require the Department of Transportation to offer more than three kinds of special registration plates at any one time. At any time the department is offering three kinds of special registration plates, any bill enacted by the Legislative Assembly that requires the department to issue a new kind of special registration plate shall include a provision requiring the department to eliminate at least one kind of special registration plate.

(3) When the department eliminates a kind of special registration plate in accordance with the provisions of a law described in subsection (2) of this section, the department shall continue to issue the plate until the new plate is available. When the new plate is available, the department shall destroy the remaining stock of the eliminated plate.

**SECTION 7.** ORS 805.205 is amended to read:

805.205. (1) The Department of Transportation [by rule] shall provide for issuance of registration plates described in subsection (3) of this section for nonprofit groups meeting the qualifications for tax exempt status under section 501(c)(3) of the Internal Revenue Code[,] **and** for institutions of higher education [and for veterans' organizations. The department shall also provide, upon request

*from a veterans' group or the Director of Veterans' Affairs, for issuance of a veterans' recognition registration plate that may be issued only to veterans].* Plates issued under this section may be issued to owners of motor vehicles registered under the provisions of ORS 803.420 (1). Plates issued under this section may not contain expressions of political opinion or religious belief. Rules adopted under this section shall include, but need not be limited to, rules that:

(a) Describe general qualifications to be met by any group in order to be eligible for plates issued under this section.

(b) Specify circumstances under which the department may cease to issue plates for any particular group.

(c) Require each group for which plates are issued[ *other than a group or the Director of Veterans' Affairs requesting a veterans' recognition plate,*] to file an annual statement on a form designed by the department showing that the group is a nonprofit group or an institution of higher education and otherwise meets the qualifications imposed for eligibility for plates issued under this section. The statement shall include names and addresses of current directors or officers of the group or of other persons authorized to speak for the group or institution on matters affecting plates issued under this section.

*[(d) Require proof of veteran status for issuance of a veterans' recognition plate and specify what constitutes proof.]*

(2)(a) Except as otherwise provided in paragraph (b) of this subsection, in addition to any other fee authorized by law, upon issuance of a plate under this section and upon renewal of registration for a vehicle that has plates issued under this section, the department shall collect a surcharge of \$2.50 per plate for each year of the registration period.

(b) In addition to any other fee authorized by law, upon issuance of a plate under this section that recognizes an institution of higher education in this state, and upon renewal of registration for a vehicle that has such plates, the department shall collect a surcharge of \$8 per plate for each year of the registration period.

(3) Plates issued under this section shall be from the current regular issue of plates except that[:]

*[(a) In consultation with the group or the Director of Veterans' Affairs requesting the plates, the department shall add words to the plate that name or describe the group or veterans recognized.]*

*[(b) If the group or the Director of Veterans' Affairs requesting the plates represents persons who have been awarded the Purple Heart medal, the plates shall contain an image of the medal.]*

*[(c) if the group requesting the plates is an institution of higher education, the plates shall, upon request, contain words that indicate the plates are issued to recognize the institution or shall contain the institution's logo or an image of the institution's mascot.*

(4) Except as otherwise required by the design chosen, the plates shall comply with the requirements of ORS 803.535. The department shall determine how many sets of plates shall be manufactured for each group approved under this section *[or for the Director of Veterans' Affairs]*. If the department does not sell or issue renewal for 500 sets of plates for a particular group *[or for the Director of Veterans' Affairs]* in any one year, the department shall cease production of those plates.

(5) Except as otherwise provided in subsection (6) of this section, each group that is found by the department to be eligible for plates issued under this section may designate an account into which the net proceeds of the surcharge collected by the department under subsection (2) of this section are to be deposited. The department shall keep accurate records of the number of plates issued for each group that qualifies. After payment of administrative expenses of the department, moneys collected under this section for each group shall be deposited by the department into an account specified by that group. If any group does not specify an account for the moneys collected from the sale of plates issued under this section, the department shall deposit moneys collected for those plates into the Environmental Quality Information Account established under ORS 802.100 to be used as other moneys in the account are used. Deposits under this subsection shall be made at least quarterly.

(6)(a) Each institution of higher education that requests a plate under this section shall designate an account in the general fund of the institution, and the proceeds in the account shall be used for the purpose of academic enrichment at the institution.

(b) Net proceeds of the surcharge collected by the department for the veterans' recognition plate shall be deposited in the trust fund established under ORS 406.050 for paying the expenses of operating the Oregon Veterans' Home. Deposits under this paragraph shall be made at least quarterly.]

**SECTION 8.** ORS 805.206 is amended to read:

805.206. [(1)] A group, institution or organization that requests issuance of a plate under ORS 805.205 shall pay to the Department of Transportation an application fee of \$10,000 in addition to all of the department's anticipated costs of adding the group to the program. The department may not begin creating or issuing the plates until the application fee and anticipated costs are paid. If 1,000 sets of the plates are purchased in the first 12 months that the plates are available, the department shall refund the application fee. For purposes of this section, costs of adding a new group include, but are not limited to, computer programming costs and vendor set-up fees.

[(2) If the Director of Veterans' Affairs requests issuance of a plate under ORS 805.205, the director shall pay to the department the application fee and all of the department's anticipated costs of issuance of the plate from grants, donations and gifts accepted by the Director of Veterans' Affairs under ORS 406.050 that are expendable for the purpose of issuance of a veterans' recognition registration plate.]

**SECTION 9.** ORS 805.208 is amended to read:

805.208. The surviving spouse of a veteran who was issued registration plates under [ORS 805.205] **section 2 of this 2007 Act** may, upon the death of the veteran, continue to use the plates on a motor vehicle or may keep the plates as a memento.

Passed by House May 14, 2007

Received by Governor:

Repassed by House June 5, 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 1, 2007

Filed in Office of Secretary of State:

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

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President of Senate

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Secretary of State