

# House Bill 3166

Sponsored by Representative NOLAN, Senator BATES; Representatives GREENLICK, TOMEI, Senators MONNES ANDERSON, MORRISETTE (at the request of Carol Studenmund and Lydia Larson)

## 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**.

Instructs Department of Transportation to provide applicant for driver license or identification card with information about state policy and benefits of anatomical gifts. Modifies forms supplied by department to include specific statement about anatomical gift donation. Requires applicant who declines to be donor to indicate choice at time of making application. Establishes presumption that person who neither expresses desire to become anatomical gift donor nor declines to become anatomical gift donor when applying for license or card is donor. Requires medical examiner or local public health officer to release body of deceased person for purposes of anatomical gift donation under certain circumstance.

## A BILL FOR AN ACT

1  
2 Relating to anatomical gifts; amending ORS 97.952, 97.956, 97.958, 807.110 and 807.400.

3 Whereas it is the policy of the State of Oregon to support equally and simultaneously three  
4 goals; and

5 Whereas it is essential to honor the religious and spiritual beliefs of all individuals; and

6 Whereas it is essential to promote the health, well-being and longevity of people in Oregon; and

7 Whereas it is essential to facilitate the transfer and use of anatomical gifts in order to save  
8 lives; now, therefore,

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

10 **SECTION 1.** ORS 97.952 is amended to read:

11 97.952. (1) A capable individual who is at least 18 years of age may be the donor of an ana-  
12 tomical gift.

13 (2) An anatomical gift may be made by:

14 (a) A document of anatomical gift signed by the donor. If the donor cannot sign, the document  
15 of anatomical gift must be signed by another individual and two witnesses, all of whom have signed  
16 at the direction and in presence of the donor and of each other and state that it has been so signed;  
17 or

18 (b) Listing on a registry with the permission of the donor.

19 (3)(a)(A) An anatomical gift may be made by a designation to be provided on the driver license  
20 and identification card of an individual who is at least 18 years of age. **The Department of**  
21 **Transportation shall provide to all applicants for initial licensure or renewal of a driver li-**  
22 **cence or identification card who are at least 18 years of age information about the state**  
23 **policy on anatomical gifts and the benefits of anatomical gifts.**

24 **(B) Application forms provided by the department for driver licenses and identification**  
25 **cards shall include the statement "By signing, I agree to be an anatomical gift donor." The**  
26 **forms shall also provide an easy, nonjudgmental mechanism for the applicant to decline to**  
27 **be an anatomical donor.** The holder of a driver license or identification card desiring to [*be des-*

**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 *ignated as a donor*] **decline to make an anatomical gift must so designate** on the license or card  
 2 *[must furnish a statement]* **by providing a written statement to the department or indicating on**  
 3 **the application form that is furnished to the department** at the time of application for granting  
 4 or renewing the license or card in the manner provided by the Department of Transportation. **If an**  
 5 **applicant does not indicate the desire to make an anatomical gift or to decline to make an**  
 6 **anatomical gift on the application provided to the department, it shall be presumed that the**  
 7 **applicant is an anatomical gift donor.**

8 (C) Signature of the license or card shall validate it as a document of anatomical gift. Revoca-  
 9 tion, cancellation or suspension of a driver license shall not invalidate the anatomical gift. Cancel-  
 10 lation of a card or lapse of a license revokes the anatomical gift indorsement, which must be  
 11 reinstated upon the reinstatement of the license or card. The form prepared by the Department of  
 12 Transportation and incorporated in its application shall be in all respects a valid document of ana-  
 13 tomical gift. Designation of intent to be a donor of an anatomical gift on the driver license or  
 14 identification card of an individual satisfies all requirements for consent to make an anatomical gift  
 15 and constitutes permission to be placed on a registry.

16 (b) When requested by a procurement organization that has established a statewide donor regi-  
 17 stry of donors in this state, the department shall electronically transfer the name, address, birth  
 18 date and donor designation as listed on the driver license or identification card of any person des-  
 19 igned as a donor under this subsection. The information transferred to a procurement organization  
 20 shall be treated as confidential by the procurement organization and may be used only to expedite  
 21 the making of anatomical gifts authorized by the donor.

22 (4) An anatomical gift by will takes effect upon death of the testator, whether the will is pro-  
 23 bated or not probated. If, after death, the will is declared invalid for testamentary purposes, the  
 24 validity of the anatomical gift is unaffected.

25 (5) A donor may amend or revoke an anatomical gift not made by will only by:

26 (a) A signed statement;

27 (b) An oral statement made in the presence of two individuals;

28 (c) Any form of communication during a terminal illness or injury addressed to a physician or  
 29 surgeon;

30 (d) In the case of an anatomical gift made by driver license or identification card application,  
 31 written notification to the department; or

32 (e) Purposeful destruction, cancellation or mutilation of the document of anatomical gift in the  
 33 case of an anatomical gift not made by driver license or identification card. A donor who inten-  
 34 tionally destroys, cancels, or mutilates a document of anatomical gift shall notify a procurement  
 35 organization to instruct the organization to remove the name of the donor from its registry. If the  
 36 organization notified does not maintain a registry of Oregon residents, the organization shall notify  
 37 any entity that maintains a registry of donors residing in this state.

38 (6) The donor of an anatomical gift made by will may amend or revoke the gift in the manner  
 39 provided for amendment or revocation of wills, or as provided in subsection (5) of this section.

40 (7) An anatomical gift that is not revoked by the donor before death is irrevocable and:

41 (a) Does not require the consent or concurrence of any person after the death of the donor.

42 (b) Shall not be subject to cancellation or substantial revision by persons described in ORS  
 43 97.954 (1).

44 (8) In the absence of contrary indications by the donor, an anatomical gift of a part is not a  
 45 refusal to give other parts or a limitation on an anatomical gift under ORS 97.954 or on a removal

1 or release of other parts under ORS 97.956.

2 (9) In the absence of contrary indications by the donor, a revocation or amendment of an ana-  
3 tomical gift is not a refusal to make an anatomical gift of a different part.

4 (10) If an individual has amended or revoked an anatomical gift made by driver license or  
5 identification card, the department shall issue a replacement license upon payment by the individual  
6 of the department's fee for reissuance of the license or card.

7 (11) Notwithstanding any other requirement of this section, a license, card or document pur-  
8 porting to evidence the creation of a valid anatomical gift under the laws of another state shall be  
9 valid in this state absent evidence of revocation.

10 (12) Any anatomical gift validly made under ORS 97.275 (1993 Edition) prior to September 9,  
11 1995, and not revoked shall continue in effect for its original period of validity.

12 (13) An individual described in subsection (1) of this section or any person authorized in ORS  
13 97.954 (1) to make an anatomical gift of all or any part of a decedent's body may delegate such au-  
14 thority to any person 18 years of age or older. Such delegation shall be in writing and signed by  
15 the person delegating the authority. The person to whom the authority is delegated shall have the  
16 same priority under ORS 97.954 (1) as the person delegating the authority.

17 (14) If the individual described in subsection (1) of this section issues more than one authori-  
18 zation or donation of anatomical gift for all or any part of the individual's body, only the most re-  
19 cent authorization or donation shall be binding.

20 **SECTION 2.** ORS 97.956 is amended to read:

21 97.956. (1) A medical examiner [*may*] **shall** release and permit the removal of a part from a body  
22 within the examiner's jurisdiction for transplantation, therapy or research if:

23 (a) The examiner has received a request for the part from a hospital, physician or procurement  
24 organization;

25 (b) The examiner does not know of a refusal or contrary indication by the decedent [*or objection*  
26 *by a person having priority to act as listed in ORS 97.954 (1)*];

27 (c) The person requesting the part has made a reasonable effort to contact the person having  
28 priority to act as listed in ORS 97.954 (1);

29 (d) The removal of the part is by a physician or technician or, in the case of eyes, by an  
30 enucleator, physician or technician;

31 (e) The removal does not interfere with any autopsy or investigation;

32 (f) The removal is performed in accordance with accepted medical standards; and

33 (g) The person performing the removal also performs a restoration of the removed part, if ap-  
34 propriate.

35 (2) If the body is not within the jurisdiction of the medical examiner, the local public health  
36 officer [*may*] **shall** release and permit the removal of a part from a body in the local public health  
37 officer's custody for transplantation, therapy or research, if the requirements of subsection (1)(a) to  
38 (g) of this section are met.

39 (3) An official releasing and permitting the removal of a part shall retain, in the permanent  
40 death record of the decedent, documentation of the person making the request, the date and purpose  
41 of the request, and the person to whom it was released.

42 (4) For purposes of this section, "reasonable effort" means:

43 (a) The person requesting the part has attempted to contact the person having priority to act  
44 as listed in ORS 97.954 (1), following notification of the death by the medical examiner or other  
45 authority or medical facility, and to obtain that person's consent or objection to the removal of the

1 part requested;

2 (b) Unless the elapsed time from the notification of death would render the part useless for the  
3 purpose intended, any attempt described in paragraph (a) of this subsection that was unsuccessful  
4 has been repeated at least two additional times by telephone; and

5 (c) The attempts shall be documented by the person requesting the part, and the documentation  
6 shall be maintained in that person's permanent file.

7 **SECTION 3.** ORS 97.958 is amended to read:

8 97.958. (1) At or near the time of death of a hospitalized patient, the hospital administrator or  
9 a representative designated by the administrator shall:

10 (a) Notify the appropriate procurement organization of the imminent or actual death of the pa-  
11 tient; and

12 (b) In collaboration with the procurement organization, ensure that readily available persons  
13 listed in ORS 97.954 are informed of the donor status of the patient and of the [option] **limit of their**  
14 **authority** to make or refuse to make an anatomical gift under ORS 97.952 or 97.954. Contact must  
15 be made with reasonable discretion and sensitivity to the circumstances of the persons contacted.  
16 The person designated by the administrator to make a request for an anatomical gift under this  
17 section must be a representative of a procurement organization or a person who has had training  
18 offered or approved by a procurement organization in the methodology for approaching the family  
19 of potential donors.

20 (2) Circumstances permitting, a law enforcement officer, firefighter, paramedic or other emer-  
21 gency rescuer or a funeral home representative who finds an individual who is deceased shall:

22 (a) Make a reasonable search for a document of anatomical gift or other information identifying  
23 the individual as a person who has made or who has refused to make an anatomical gift; and

24 (b) As soon as is reasonably possible and if the information is known, notify an appropriate  
25 procurement organization of the identity of the deceased person and of persons listed in accordance  
26 with ORS 97.954.

27 (3) A person who fails to discharge the duties imposed by this section is not subject to criminal  
28 or civil liability.

29 **SECTION 4.** ORS 807.110 is amended to read:

30 807.110. A license issued by the Department of Transportation shall comply with all of the fol-  
31 lowing:

32 (1) A license shall bear the distinguishing number assigned to the person issued the license by  
33 the department.

34 (2) A license shall contain, for the purpose of identification, a brief description of the person to  
35 whom the license is issued.

36 (3) A license shall contain the name, date of birth and, except as provided for corrections offi-  
37 cers in ORS 802.253 or eligible employees in ORS 802.250, residence address of the person to whom  
38 the license is issued and a space for the person's signature.

39 (4) Upon request of the person to whom the license is issued, a license shall indicate on the li-  
40 cense the fact that the person is an anatomical **gift donor or has declined to be an anatomical**  
41 **gift donor**.

42 (5) Upon order of the juvenile court, a license shall indicate on the license the fact that the  
43 person to whom the license is issued is an emancipated minor.

44 (6) Except as otherwise provided in this subsection, a license shall bear a photograph described  
45 in this subsection. The Director of Transportation, by rule, may provide for issuance of a valid li-

1 cense without a photograph if the applicant shows good cause. The director shall include religious  
 2 preferences as good cause for issuance of a license without a photograph but shall not limit good  
 3 cause to religious grounds. A photograph required under this subsection shall:

4 (a) Be a full-faced, color photograph of the person to whom the license is issued;

5 (b) Be of a size approved by the department; and

6 (c) Be taken at the time of application for issuance of the license whether the application is for  
 7 an original license, replacement of a license under ORS 807.160 or for renewal of a license under  
 8 ORS 807.150.

9 (7) A license is not valid until signed by the person to whom it is issued.

10 (8) A license shall indicate the class of license issued and any endorsements granted. If the li-  
 11 cense is a commercial driver license, the words “commercial driver license” or the letters “CDL”  
 12 shall appear on the license.

13 (9) The department shall use such security procedures, processes and materials in the prepara-  
 14 tion, manufacture and issuance of any license that prohibit as nearly as possible anyone’s ability to  
 15 alter, counterfeit, duplicate or modify the license without ready detection. The security features  
 16 used in the production of the licenses shall provide for the rapid authentication of a genuine docu-  
 17 ment.

18 **SECTION 5.** ORS 807.110, as amended by section 7, chapter 775, Oregon Laws 2005, is amended  
 19 to read:

20 807.110. (1) A license issued by the Department of Transportation shall contain all of the fol-  
 21 lowing:

22 (a) The distinguishing number assigned to the person issued the license by the department.

23 (b) For the purpose of identification, a brief description of the person to whom the license is  
 24 issued.

25 (c) The name, date of birth and, except as provided for corrections officers in ORS 802.253 or  
 26 eligible employees in ORS 802.250, residence address of the person to whom the license is issued and  
 27 a space for the person’s signature.

28 (d) Upon request of the person to whom the license is issued, the fact that the person is an  
 29 anatomical **gift donor or has declined to be an anatomical gift donor.**

30 (e) Upon order of the juvenile court, the fact that the person to whom the license is issued is  
 31 an emancipated minor.

32 (f) Except as otherwise provided in this paragraph, a photograph described in this paragraph.  
 33 The Director of Transportation, by rule, may provide for issuance of a valid license without a pho-  
 34 tograph if the applicant shows good cause. The director shall include religious preferences as good  
 35 cause for issuance of a license without a photograph but shall not limit good cause to religious  
 36 grounds. A photograph required under this paragraph shall:

37 (A) Be a full-faced, color photograph of the person to whom the license is issued;

38 (B) Be of a size approved by the department; and

39 (C) Be taken at the time of application for issuance of the license whether the application is for  
 40 an original license, replacement of a license under ORS 807.160 or for renewal of a license under  
 41 ORS 807.150.

42 (g) The class of license issued and any endorsements granted. If the license is a commercial  
 43 driver license, the words “commercial driver license” or the letters “CDL” shall appear on the li-  
 44 cense.

45 (2) A license is not valid until signed by the person to whom it is issued.

1 (3) The department shall use security procedures, processes and materials in the preparation,  
 2 manufacture and issuance of any license that prohibit as nearly as possible anyone's ability to alter,  
 3 counterfeit, duplicate or modify the license without ready detection. The security features used in  
 4 the production of the licenses shall provide for:

5 (a) The authentication of a genuine document in a reasonable time; and

6 (b) The production of the license only by equipment that requires verification of the identity of  
 7 the operator of the equipment before a license may be produced.

8 **SECTION 6.** ORS 807.400 is amended to read:

9 807.400. (1) The Department of Transportation shall issue an identification card to any person  
 10 who:

11 (a) Is domiciled in or resident of this state, as described in ORS 807.062;

12 (b) Does not have a current, valid driver license; and

13 (c) Furnishes such evidence of the person's age and identity as the department may require.

14 (2) The department shall work with other agencies and organizations to attempt to improve the  
 15 issuance system for identification cards.

16 (3) Every original application for an identification card must be signed by the applicant. The  
 17 department shall require at least one document to verify the address of an applicant for issuance  
 18 of an identification card in addition to other documents the department may require of the applicant.  
 19 If the address of an applicant has changed since the last time an identification card was issued to  
 20 or renewed for the applicant, the department shall require proof to verify the address of an applicant  
 21 for renewal of an identification card, in addition to anything else the department may require.

22 (4) Every identification card shall be issued upon the standard license form described under ORS  
 23 807.110 and shall bear a statement to the effect that the identification card is not a license or any  
 24 other grant of driving privileges to operate a motor vehicle and is to be used for identification  
 25 purposes only. The department shall use the same security procedures, processes, materials and  
 26 features for an identification card as are required for a license under ORS 807.110.

27 (5) Upon order of the juvenile court, the department shall include on the card the fact that the  
 28 person issued the identification card is an emancipated minor.

29 (6) Each original identification card shall expire on a date consistent with the expiration dates  
 30 of licenses as set forth in ORS 807.130.

31 (7) Identification cards shall be renewed under the terms for renewal of licenses as set forth in  
 32 ORS 807.150.

33 (8) The fee for an original identification card or a renewal thereof shall be the fee established  
 34 under ORS 807.410. In no event shall the issuance or renewal of an identification card be subject  
 35 to any fee in addition to that set forth in ORS 807.410.

36 (9) An identification card becomes invalid if the holder of the card changes residence address  
 37 from that shown on the identification card and does not provide the department with notice of the  
 38 change as required under ORS 807.420.

39 (10) If a person to whom an identification card was issued and who changes residence address  
 40 appears in person at a department office that issues identification cards, the department may do any  
 41 of the following:

42 (a) Issue a replacement identification card containing the new address upon receipt of the old  
 43 identification card and payment of the fee established for issuing a replacement identification card  
 44 with a changed address under ORS 807.410. Except as otherwise provided in subsection (12) of this  
 45 section, the replacement identification card shall bear the same distinguishing number as the card

1 being replaced.

2 (b) Note the new address on the old identification card in a manner to be determined by the  
3 department.

4 (11) An identification card becomes invalid if the holder of the card changes the person's name  
5 from that shown on the card, including a change of name by marriage, without providing the de-  
6 partment with notice of the change as required under ORS 807.420. Upon receiving such notice and  
7 the old identification card, the department shall issue a replacement identification card upon pay-  
8 ment of the fee required under ORS 807.410.

9 (12) In the event that, for a reason identified by the department by rule, a person needs a re-  
10 placement identification card that bears a different distinguishing number from the card being re-  
11 placed, the person to whom the card was issued may obtain a replacement card from the department  
12 upon furnishing proof satisfactory to the department of the need for such replacement and payment  
13 of the replacement fee under ORS 807.410.

14 (13) The department may establish by rule reasons for issuing replacement identification cards  
15 that are in addition to the reasons identified in subsections (10) to (12) of this section. The fee for  
16 a replacement identification card is provided under ORS 807.410.

17 (14) Upon cancellation of an identification card, the card is terminated and must be surrendered  
18 to the department. An identification card may be canceled for any of the reasons that driving priv-  
19 ileges or a license may be canceled under ORS 809.310. The department may reissue an identifica-  
20 tion card canceled under this subsection when the applicant has satisfied all requirements for the  
21 identification card.

22 (15) Notwithstanding any other provision of this section, the department may issue an identifi-  
23 cation card to a person under this subsection without charge when the person surrenders a license  
24 or driver permit to the department for reasons described in this subsection. If the department issues  
25 an identification card under this subsection, the identification card shall expire at the same time  
26 as the surrendered driver license or driver permit would have expired. An identification card issued  
27 under this subsection is subject to the same requirements and fees for renewal or upon expiration  
28 as any other identification card issued under this section. The department may issue identification  
29 cards under this subsection as described under any of the following:

30 (a) The department may issue an identification card under this subsection to a person who vol-  
31 untarily surrenders a license or driver permit to the department based upon the person's recognition  
32 that the person is no longer competent to drive.

33 (b) The department may issue an identification card to a person under this subsection when the  
34 person's driving privileges are suspended under ORS 809.419 (1). This paragraph only applies if the  
35 person voluntarily surrenders the person's license or driver permit to the department as provided  
36 under ORS 809.500.

37 **(16) Upon request of the person to whom an identification card is issued under this sec-**  
38 **tion, the card shall include a statement that the person is an anatomical gift donor or has**  
39 **declined to be an anatomical gift donor.**

40 **SECTION 7.** ORS 807.400, as amended by section 8, chapter 775, Oregon Laws 2005, is amended  
41 to read:

42 807.400. (1) The Department of Transportation shall issue an identification card to any person  
43 who:

- 44 (a) Is domiciled in or resident of this state, as described in ORS 807.062;
- 45 (b) Does not have a current, valid driver license;

- 1 (c) Furnishes such evidence of the person’s age and identity as the department may require; and  
 2 (d) Submits to collection of biometric data by the department that establish the identity of the  
 3 person as provided in ORS 807.024.
- 4 (2) The department shall work with other agencies and organizations to attempt to improve the  
 5 issuance system for identification cards.
- 6 (3) Every original application for an identification card must be signed by the applicant. The  
 7 department shall require at least one document to verify the address of an applicant for issuance  
 8 of an identification card in addition to other documents the department may require of the applicant.  
 9 If the address of an applicant has changed since the last time an identification card was issued to  
 10 or renewed for the applicant, the department shall require proof to verify the address of an applicant  
 11 for renewal of an identification card, in addition to anything else the department may require.
- 12 (4) Every identification card shall be issued upon the standard license form described under ORS  
 13 807.110 and shall bear a statement to the effect that the identification card is not a license or any  
 14 other grant of driving privileges to operate a motor vehicle and is to be used for identification  
 15 purposes only. The department shall use the same security procedures, processes, materials and  
 16 features for an identification card as are required for a license under ORS 807.110.
- 17 (5) Upon order of the juvenile court, the department shall include on the card the fact that the  
 18 person issued the identification card is an emancipated minor.
- 19 (6) Each original identification card shall expire on a date consistent with the expiration dates  
 20 of licenses as set forth in ORS 807.130.
- 21 (7) Identification cards shall be renewed under the terms for renewal of licenses as set forth in  
 22 ORS 807.150.
- 23 (8) The fee for an original identification card or a renewal thereof shall be the fee established  
 24 under ORS 807.410.
- 25 (9) An identification card becomes invalid if the holder of the card changes residence address  
 26 from that shown on the identification card and does not provide the department with notice of the  
 27 change as required under ORS 807.420.
- 28 (10) If a person to whom an identification card was issued and who changes residence address  
 29 appears in person at a department office that issues identification cards, the department may do any  
 30 of the following:
- 31 (a) Issue a replacement identification card containing the new address upon receipt of the old  
 32 identification card and payment of the fee established for issuing a replacement identification card  
 33 with a changed address under ORS 807.410. Except as otherwise provided in subsection (12) of this  
 34 section, the replacement identification card shall bear the same distinguishing number as the card  
 35 being replaced.
- 36 (b) Note the new address on the old identification card in a manner to be determined by the  
 37 department.
- 38 (11) An identification card becomes invalid if the holder of the card changes the person’s name  
 39 from that shown on the card, including a change of name by marriage, without providing the de-  
 40 partment with notice of the change as required under ORS 807.420. Upon receiving such notice and  
 41 the old identification card, the department shall issue a replacement identification card upon pay-  
 42 ment of the fee required under ORS 807.410.
- 43 (12) In the event that, for a reason identified by the department by rule, a person needs a re-  
 44 placement identification card that bears a different distinguishing number from the card being re-  
 45 placed, the person to whom the card was issued may obtain a replacement card from the department



1 upon furnishing proof satisfactory to the department of the need for such replacement and payment  
 2 of the replacement fee under ORS 807.410.

3 (13) The department may establish by rule reasons for issuing replacement identification cards  
 4 that are in addition to the reasons identified in subsections (10) to (12) of this section. The fee for  
 5 a replacement identification card is provided under ORS 807.410.

6 (14) Upon cancellation of an identification card, the card is terminated and must be surrendered  
 7 to the department. An identification card may be canceled for any of the reasons that driving priv-  
 8 ileges or a license may be canceled under ORS 809.310. The department may reissue an identifica-  
 9 tion card canceled under this subsection when the applicant has satisfied all requirements for the  
 10 identification card.

11 (15) Notwithstanding any other provision of this section, the department may issue an identifi-  
 12 cation card to a person under this subsection without charge when the person surrenders a license  
 13 or driver permit to the department for reasons described in this subsection. If the department issues  
 14 an identification card under this subsection, the identification card shall expire at the same time  
 15 as the surrendered driver license or driver permit would have expired. An identification card issued  
 16 under this subsection is subject to the same requirements and fees for renewal or upon expiration  
 17 as any other identification card issued under this section. The department may issue identification  
 18 cards under this subsection as described under any of the following:

19 (a) The department may issue an identification card under this subsection to a person who vol-  
 20 untarily surrenders a license or driver permit to the department based upon the person's recognition  
 21 that the person is no longer competent to drive.

22 (b) The department may issue an identification card to a person under this subsection when the  
 23 person's driving privileges are suspended under ORS 809.419 (1). This paragraph only applies if the  
 24 person voluntarily surrenders the person's license or driver permit to the department as provided  
 25 under ORS 809.500.

26 **(16) Upon request of the person to whom an identification card is issued under this sec-**  
 27 **tion, the card shall include a statement that the person is an anatomical gift donor or has**  
 28 **declined to be an anatomical gift donor.**

29 \_\_\_\_\_