

**Enrolled
House Bill 3527**

Sponsored by Representative BUCKLEY; Senator BATES

CHAPTER

AN ACT

Relating to racing activity vehicles; creating new provisions; and amending ORS 468A.350, 803.045, 803.210, 803.212, 803.305, 803.420, 815.075, 815.105 and 815.300.

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

SECTION 1. Sections 2, 3, 3a, 3b and 3c of this 2007 Act are added to and made a part of the Oregon Vehicle Code.

SECTION 2. "Racing activity vehicle" means a motor vehicle that:

(1) Is primarily used for racing on a race track and that has:

(a) A bodiless tubular steel chassis that forms the main structural component of the vehicle;

(b) High side rails;

(c) Integral front and rear rollover tubes;

(d) A suspension with both front and rear double unequal length wishbones and inboard, pushrod operated dampers; and

(e) A product identification number instead of a vehicle identification number; and

(2) Is not a replica or an assembled vehicle.

SECTION 3. A racing activity vehicle is exempt from vehicle equipment requirements under ORS 815.040, 815.075, 815.250, 815.295 and 815.310 if all of the following apply:

(1) The vehicle is equipped with original manufacturer's equipment and accessories or their equivalent; and

(2) The vehicle is maintained in safe operating condition.

SECTION 3a. (1) A vehicle that is a racing activity vehicle may be registered only under this section.

(2) A racing activity vehicle shall be registered for a permanent registration period as described under ORS 803.400. To register a racing activity vehicle the owner shall:

(a) Apply for permanent registration of the vehicle in the same manner provided for application for registration of vehicles; and

(b) Pay the fee for permanent registration of racing activity vehicles established under ORS 803.420.

(3) A racing activity vehicle may be issued special interest registration plates.

(4) Once a vehicle is permanently registered as a racing activity vehicle under this section, the vehicle is subject to the limitations on use of the vehicle under section 3b of this 2007 Act.

SECTION 3b. (1) A person commits the offense of violation of registration limits on a racing activity vehicle if a vehicle is permanently registered under section 3a of this 2007 Act and the person uses the vehicle other than for:

- (a) Exhibitions, parades or club activities;
- (b) Driving the vehicle from the person's home to a race track that is within a 90-mile radius of the person's home; or
- (c) Test driving the vehicle for maintenance or repair purposes within a 30-mile radius of where the vehicle is maintained or repaired.

(2) The offense described in this section, violation of registration limits on a racing activity vehicle, is a Class B traffic violation.

SECTION 3c. (1) A person commits the offense of unlawfully operating a racing activity vehicle on a highway if the person operates a racing activity vehicle on a highway that has a speed limit or posted speed that is greater than 55 miles per hour.

(2) The offense described in this section, unlawfully operating a racing activity vehicle on a highway, is a Class B traffic violation.

SECTION 3d. 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 feet in length, \$126.

(d) For motor homes over 10 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.

(26) Racing activity vehicles registered under section 3a of this 2007 Act, \$81.

SECTION 3e. ORS 803.305 is amended to read:

803.305. This section establishes exemptions from the requirements under ORS 803.300. The exemptions under this section are in addition to any exemptions under ORS 801.026. Vehicles exempted by this section from the requirements to be registered by this state are not prohibited from being registered by this state if registration is permitted under ORS 803.310. The following are exempt, either partially or completely as described, from the registration requirements under ORS 803.300:

(1) Road rollers, farm tractors, trolleys and traction engines are exempt from registration.

(2) Bicycles are exempt from registration.

(3) A vehicle is exempt from registration if it has registration issued for the vehicle by the Armed Forces of the United States where the registration is issued in a foreign country to a vehicle owned by a member of the Armed Forces. The exemption granted by this subsection applies only for a period of 45 days from the time the vehicle is returned to the United States.

(4) A vehicle is exempt from registration if it is not operated on the highways of this state.

(5) A trailer is exempt from registration if it is equipped with pneumatic tires made of elastic material and is not operated in this state with a loaded weight of more than 1,800 pounds. A trailer for hire, travel trailer or camper is not exempt by this subsection.

(6) Vehicles owned and operated by the United States Government are exempt from registration.

(7) Snowmobiles are subject to the requirements for registration provided under ORS 821.080 to 821.110.

(8) Implements of husbandry, well drilling machinery, emergency fire apparatus providing public fire protection and invalid chairs are exempt from registration.

(9) Road graders, farm tractors and farm trailers on highways are exempt from registration when the operation of the vehicle upon the highway is incidental to its use in an agricultural operation.

(10) Fixed load vehicles are exempt from registration while the vehicles are operated:

(a) In the construction or reconstruction of state or county roads, highways or city streets; and

(b) Within the immediate construction projects, as described in the governmental agency contract under which the work is being performed.

(11) Motor vehicles designed to operate at a loaded weight over 8,000 pounds, trailers and equipment are exempt from registration while being used for the purposes of forest protection and fire suppression under ORS chapter 477 or a similar federal statute. The exemption under this subsection applies to the vehicles or equipment described while being moved to or from the work area. The exemption under this subsection only applies to vehicles or equipment owned, leased, contracted for or requisitioned by the State Forester or State Board of Forestry, a contractor of the State Forester or State Board of Forestry under ORS chapter 477 or the United States Government.

(12) Vehicles being used for the purposes of forest protection and fire suppression are exempt if the vehicles are necessary in order to comply with ORS 477.615 or 477.650 or a similar federal

statute. The exemption under this subsection also applies to the vehicles described being moved to or from the work area.

(13) Golf cart exemptions from registration are as provided in ORS 820.210.

(14) Vehicles currently registered and titled in any other country, state or territory are not required to be registered by this state. All of the following apply to this subsection:

(a) This subsection only provides an exemption as long as the owner of the vehicle satisfactorily shows that the owner is not a resident of this state as described under ORS 803.200.

(b) The exemption under this subsection applies to vehicles granted exemptions under ORS 802.500, 802.520 or 826.005 unless otherwise provided for under paragraph (c) of this subsection.

(c) Except as otherwise provided in this paragraph, a vehicle operated over the highways of this state for compensation or profit must comply with the registration requirements under ORS 803.300 in the same manner as vehicles owned by persons in this state. The following vehicles are not subject to this paragraph:

(A) Vehicles operated under reciprocal registration exemptions established under ORS 802.500 or 826.005.

(B) Vehicles operated under an exemption established under ORS 802.520.

(C) Vehicles that are proportionally registered under an agreement established under ORS 826.007 and according to the procedures established under ORS 826.009 and 826.011.

(D) Any vehicle if duly registered and titled under the laws of the state or country of which the owner is a bona fide resident to the extent that in the foreign country, state, territory or federal district where the owner resides like exemptions and privileges are granted vehicles duly registered and titled under the laws of this state and owned by residents of this state.

(d) If no exemption from registration requirements is in effect under ORS 802.500, 802.520, 826.005 or 826.007 with respect to another jurisdiction, any vehicle properly registered and titled in such other jurisdiction and for which evidence of compliance is supplied shall receive, when operated in this state, the same exemptions, benefits and privileges granted by such other jurisdictions to vehicles properly registered and titled in this state. Reciprocity extended under this paragraph shall apply to commercial vehicles only when engaged exclusively in interstate commerce.

(e) Any vehicle operated under dealer registration plates issued by another state, country, province, territory or the District of Columbia is subject to this subsection.

(15) Vehicles operated or used by vehicle dealers may be operated or used without registration as provided under ORS 822.040.

(16) Vehicles towed by towing businesses may be towed without registration as provided under ORS 822.210.

(17) Vehicles without registration may be transported by vehicle transporters as provided under ORS 822.310.

(18) Vehicles that are not registered may be operated under trip permits described under ORS 803.600 or under permits described under ORS 803.610 to 803.625.

(19) If trailers that are part of a fleet of trailers for hire are properly registered in this state under an agreement entered into pursuant to ORS 802.500, all trailers that are identified as being a part of the same fleet and that are currently registered in any state, territory, province, country or the District of Columbia shall be permitted to operate in this state in both interstate and intra-state commerce without being registered by this state.

(20) Vehicles that are registered by the United States Department of State and that are owned or operated by foreign nationals with diplomatic immunity are exempt from registration.

(21) Tow dollies and converter dollies are exempt from registration.

(22) Class I and Class III all-terrain vehicles are exempt from registration.

(23) Motor assisted scooters are exempt from registration.

(24) Electric personal assistive mobility devices are exempt from registration.

(25) A racing activity vehicle that is being operated for the purposes of a test drive within a 30-mile radius of the location where the vehicle is manufactured is exempt from registration.

SECTION 4. ORS 803.045 is amended to read:

803.045. (1) The Department of Transportation shall issue title for a vehicle if the applicant and the vehicle meet the following qualifications:

(a) The applicant must satisfy the department that the applicant is the owner of the vehicle and is otherwise entitled to have title issued in the applicant's name.

(b) Except as otherwise provided in ORS 803.050 (2), the applicant must submit a completed and signed application for title described in ORS 803.050.

(c) The applicant must pay the fee for issuance of a certificate of title under ORS 803.090 or the fee for issuance of title in another form, as established by the department by rule in accordance with ORS 803.012.

(d) If the vehicle is a reconstructed vehicle or an assembled vehicle, the applicant must provide the following information in addition to any other information required under this section:

(A) The certificate of title last issued for the frame of the vehicle, a salvage title certificate issued for the vehicle or other evidence of ownership satisfactory to the department.

(B) Bills of sale for major components used to build the vehicle.

(e) If the vehicle is covered by an Oregon title or salvage title certificate, the applicant shall surrender the Oregon title or salvage title certificate, submit an application as provided under ORS 803.065 or submit other evidence of ownership satisfactory to the department.

(f) Unless the department adopts rules to the contrary, if the vehicle is from another jurisdiction, the applicant shall surrender to the department with the application the certificate of title issued by the other jurisdiction, if such jurisdiction requires certificates of title. If such jurisdiction does not require certificates of title, then the applicant shall surrender the registration cards.

(g) If required by the department, the applicant must submit proof of ownership as described under ORS 803.205.

(h) **Other than a racing activity vehicle as defined in section 2 of this 2007 Act**, if the department has reason to believe a vehicle was not certified by the original manufacturer as conforming to federal vehicle standards, the department may require the applicant to provide proof satisfactory to the department that the vehicle conforms to federal vehicle standards.

(i) Unless the vehicle is exempted from odometer disclosure requirements, the applicant shall submit an appropriate odometer disclosure form. The department shall determine what constitutes an appropriate form in any particular situation. The department may make exceptions by rule to the requirement for submission of an odometer disclosure form.

(2)(a) The department may not issue title for a vehicle:

(A) Required by ORS 803.210 to be inspected unless the vehicle has been inspected as described in ORS 803.212 and the inspection fee paid under ORS 803.215.

(B) If the current vehicle title, certificate or ownership document is a junk title, junk certificate or similar ownership document issued by another jurisdiction, or has a junk or similar brand or notation.

(b) The department may adopt any rules it considers necessary for the administration of this subsection.

SECTION 5. ORS 803.210 is amended to read:

803.210. (1) The Department of Transportation shall not issue title for a vehicle described in subsection (2) of this section unless:

(a) An inspection of the vehicle identification number or numbers of the vehicle is performed in accordance with ORS 803.212; and

(b) The fee established under ORS 803.215 is paid to the department for the inspection.

(2) Except as provided in subsection (3) of this section, the requirements of this section apply to all of the following:

(a) A vehicle from another jurisdiction.

(b) Any assembled or reconstructed vehicle.

(c) Any vehicle if the certificate of title has been or is required to be submitted to the department, or a person is required to report to the department, under ORS 819.010, 819.012, 819.014 or 819.030.

(d) Any vehicle if the department has received notice that the vehicle has been or will be wrecked, dismantled, disassembled or substantially altered under ORS 819.010 or 822.135.

(e) Replicas.

(f) **Other than a racing activity vehicle as defined in section 2 of this 2007 Act**, any vehicle the department has reason to believe was not certified by the original manufacturer as conforming to federal vehicle standards.

(3) The requirements of this section do not apply to the following vehicles if the person shown as the owner on an out-of-state title for the vehicle applies for an Oregon title in that person's name:

(a) A rental truck, rental truck tractor or rental trailer that is registered in Oregon under an interstate agreement that provides that a portion of the owner's fleet is to be registered in each state in which the fleet operates.

(b) A trailer or semitrailer that has permanent registration.

SECTION 6. ORS 803.212 is amended to read:

803.212. (1) The Department of Transportation, or persons or agencies authorized to do so by the department, shall conduct a physical inspection of the vehicle identification number **or numbers** of each vehicle located in this state and required by ORS 803.210 to be inspected. The department may designate certified dealers to perform the inspection and may enter into agreements with the Oregon State Police or other law enforcement agencies of this state to perform inspections. The inspection shall determine whether the vehicle identification number or numbers match those on the records of the department, on the title or primary ownership record or contained in other information received by the department.

(2) If a vehicle that is required by ORS 803.210 to be inspected is located in another jurisdiction, the department may designate a person or agency in such jurisdiction to perform the physical inspection and may waive the inspection fee.

(3) Except as provided in subsection (4) of this section, the department shall check the vehicle identification number or numbers of all vehicles required by ORS 803.210 to be inspected against those listed as stolen at the National Crime Information Center. If the check indicates the vehicle is stolen, the department:

(a) Shall immediately notify the Oregon State Police or, if the department determines it would be appropriate to do so, notify another law enforcement agency; and

(b) Shall not issue title within 30 days of giving the notice required by paragraph (a) of this subsection unless the department is notified before the end of the 30 days that the vehicle is not stolen. After the passage of the 30-day period, the department may issue the title.

(4) The department may refer a vehicle to the Oregon State Police or other appropriate law enforcement agency for a vehicle identification number **or product identification number** inspection if:

(a) Inspection of the vehicle under this section reveals that the vehicle identification number **or product identification number** on the vehicle is different from the number provided to the department or appears to have been tampered with, altered or defaced; or

(b) The vehicle is a reconstructed or assembled vehicle or has been reported destroyed or totaled under ORS 819.012, 819.014 or 819.030 or is any other salvaged vehicle from another jurisdiction. This subsection does not apply to a vehicle that has been reported totaled to the department because of theft and has subsequently been recovered.

(5) If the department refers a vehicle to a law enforcement agency under subsection (4) of this section, the law enforcement agency shall inspect the vehicle. If the law enforcement agency determines that there is reason to believe that the identification number of the vehicle has been tampered with, altered or forged or that the vehicle is stolen, the law enforcement agency may seize the vehicle and may hold the vehicle until completing an investigation to establish the origin and ownership of the vehicle. The department shall reimburse the Department of State Police, and may

reimburse any other law enforcement agency, for any inspections conducted under this subsection in an amount agreed upon by the department and the Department of State Police or other law enforcement agency.

SECTION 7. ORS 815.300 is amended to read:

815.300. This section establishes exemptions from the requirements under ORS 815.295 to be equipped with a certified pollution control system. Exemptions established by this section are in addition to any exemptions established by ORS 801.026. The exemptions established in this section are also applicable to requirements for certification of pollution control equipment before registration under ORS 803.350 and 803.465. All of the following vehicles are exempt from the requirements under ORS 815.295:

- (1) Any vehicle that is not a motor vehicle.
- (2) Any vehicle unless the vehicle is registered within:
 - (a) The boundaries of the metropolitan service district formed under ORS chapter 268 for the metropolitan area, as defined in ORS 268.020, which includes the City of Portland, Oregon.
 - (b) Boundaries designated by the Environmental Quality Commission under ORS 468A.390.
- (3) Any new motor vehicle or new motor vehicle engine when the registration results from the initial retail sale thereof.
- (4) Any motor vehicle:
 - (a) Not registered in areas designated under subsection (2)(a) of this section, including any expansion of such boundary under subsection (2)(b) of this section, with a model year that predates by more than 20 years the year in which registration or renewal of registration is required; or
 - (b) Registered in areas designated under subsection (2)(a) of this section, including any expansion of such boundary under subsection (2)(b) of this section, with a model year of 1974 or earlier.
- (5) Motor vehicles that are registered as farm vehicles under ORS 805.300 or apportioned farm vehicles under ORS 805.300.
- (6) Special interest vehicles that are maintained as collectors' items and used for exhibitions, parades, club activities and similar uses but not used primarily for the transportation of persons or property.
- (7) Fixed load vehicles.
- (8) Vehicles that are proportionally registered under ORS 826.009 and 826.011 in accordance with agreements established under ORS 826.007.
- (9) Electric motor vehicles. This subsection does not exempt hybrid motor vehicles that use electricity and another source of motive power.
- (10) First response rescue units operated by political subdivisions of this state that are not used to transport persons suffering from illness, injury or disability.
- (11) A vehicle that is currently registered in Oregon at the time application for new registration is received by the Department of Transportation if the new registration is a result of a change in the registration or plate type and the application is received at least four months prior to the expiration of the existing registration.
- (12) Golf carts.
- (13) Any Class I, Class II or Class III all-terrain vehicle.
- (14) An original equipment manufacturer vehicle that is engineered, designed, produced and warranted to use natural gas as its only fuel source.
- (15) Racing activity vehicles.**

SECTION 8. ORS 468A.350 is amended to read:

468A.350. As used in ORS 468A.350 to 468A.400:

- (1) "Certified system" means a motor vehicle pollution control system for which a certificate of approval has been issued under ORS 468A.365 (3).
- (2) "Factory-installed system" means a motor vehicle pollution control system installed by the manufacturer which meets criteria for emission of pollutants in effect under federal laws and regulations applicable on September 9, 1971, or which meets criteria adopted pursuant to ORS 468A.365 (1), whichever criteria are stricter.

(3) "Motor vehicle" includes any self-propelled vehicle used for transporting persons or commodities on public roads and highways[,] but does not include a vehicle of special interest as that term is defined in ORS 801.605, if the vehicle is maintained as a collector's item and used for exhibitions, parades, club activities and similar uses but not used primarily for the transportation of persons or property, **or a racing activity vehicle as defined in section 2 of this 2007 Act.**

(4) "Motor vehicle pollution control system" means equipment designed for installation on a motor vehicle for the purpose of reducing the pollutants emitted from the vehicle, or a system or engine adjustment or modification which causes a reduction of pollutants emitted from the vehicle.

SECTION 9. ORS 815.075 is amended to read:

815.075. (1) A person commits the offense of selling vehicles or equipment that violates state equipment administrative rules if the person sells or offers for sale any vehicle or sells or offers for sale for use upon a vehicle or uses on any vehicle any equipment if the vehicle or equipment:

(a) Does not conform to standards established by the Department of Transportation by rule under ORS 815.030; and

(b) Does not bear thereon proof of certification that it complies with the applicable standards.

(2) Proof of certification required under this section may be made in any manner provided under ORS 815.030.

(3) This section is subject to the following exemptions in addition to any exemptions under ORS 801.026:

(a) Vehicles of special interest that are registered under ORS 805.020 are deemed to comply with this section if:

(A) The vehicles are equipped with original manufacturer's equipment and accessories, or their equivalent, and are maintained in safe operating order; or

(B) The vehicles are street rods that conform to ORS 815.107.

(b) Road machinery, road rollers, implements of husbandry, farm trailers and farm tractors are not subject to this section.

(c) Antique vehicles are not subject to this section if the vehicles are maintained as collectors' items and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property.

(d) Racing activity vehicles are not subject to this section.

(4) The offense described under this section, selling vehicles or equipment that violates state equipment administrative rules, is a Class D traffic violation.

SECTION 10. ORS 815.105 is amended to read:

815.105. This section establishes exemptions from ORS 815.030 and 815.100. Exemptions under this section are in addition to any exemptions under ORS 801.026. Exemptions under this section are partial or complete as described in the following:

(1) Vehicles of special interest that are registered under ORS 805.020 are deemed to comply with ORS 815.030 and 815.100 if:

(a) The vehicles are equipped with original manufacturer's equipment and accessories, or their equivalent, and are maintained in safe operating condition; or

(b) The vehicles are street rods that conform to ORS 815.107.

(2) Road machinery, road rollers, implements of husbandry, farm trailers and farm tractors are exempt from ORS 815.030 and 815.100.

(3) Antique vehicles are exempt from ORS 815.030 and 815.100 if the vehicles are maintained as collectors' items and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property.

(4) Motorized wheelchairs are exempt from ORS 815.030 and 815.100 when used as permitted under ORS 811.440.

(5) Racing activity vehicles are exempt from ORS 815.030 and 815.100.

Passed by House May 8, 2007

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Chief Clerk of House

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Speaker of House

Passed by Senate June 1, 2007

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President of Senate

Received by Governor:

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

Approved:

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

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Governor

Filed in Office of Secretary of State:

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Secretary of State