

A-Engrossed
House Bill 3527

Ordered by the House May 3
Including House Amendments dated May 3

Sponsored by Representative BUCKLEY; Senator BATES

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.

Defines "racing activity vehicle" for purposes of Oregon Vehicle Code.

Provides certain exemptions for racing activity vehicles from code requirements.

Requires racing activity vehicle to be permanently registered. Exempts racing activity vehicle being operated for purposes of test drive within specified radius of location where vehicle is manufactured. Sets registration fee.

Creates offense of violation of registration limits on racing activity vehicle. Punishes by fine not exceeding \$360.

Creates offense of unlawfully operating racing activity vehicle on highway. Punishes by fine not exceeding \$360.

A BILL FOR AN ACT

1
2 Relating to racing activity vehicles; creating new provisions; and amending ORS 468A.350, 803.045,
3 803.210, 803.212, 803.305, 803.420, 815.075, 815.105 and 815.300.

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

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

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

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

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

11 **(b) High side rails;**

12 **(c) Integral front and rear rollover tubes;**

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

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

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

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

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

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

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

24 **(2) A racing activity vehicle shall be registered for a permanent registration period as**

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 **described under ORS 803.400. To register a racing activity vehicle the owner shall:**

2 **(a) Apply for permanent registration of the vehicle in the same manner provided for ap-**
3 **plication for registration of vehicles; and**

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

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

7 **(4) Once a vehicle is permanently registered as a racing activity vehicle under this sec-**
8 **tion, the vehicle is subject to the limitations on use of the vehicle under section 3b of this**
9 **2007 Act.**

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

13 **(a) Exhibitions, parades or club activities;**

14 **(b) Driving the vehicle from the person's home to a race track that is within a 90-mile**
15 **radius of the person's home; or**

16 **(c) Test driving the vehicle for maintenance or repair purposes within a 30-mile radius**
17 **of where the vehicle is maintained or repaired.**

18 **(2) The offense described in this section, violation of registration limits on a racing ac-**
19 **tivity vehicle, is a Class B traffic violation.**

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

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

25 **SECTION 3d. ORS 803.420 is amended to read:**

26 803.420. This section establishes registration fees for vehicles. If there is uncertainty as to the
27 classification of a vehicle for purposes of the payment of registration fees under the vehicle code,
28 the Department of Transportation may classify the vehicle to assure that registration fees for the
29 vehicle are the same as for vehicles the department determines to be comparable. The registration
30 fees for the vehicle shall be those based on the classification determined by the department. Except
31 as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described
32 in this section are for an entire registration period for the vehicle as described under ORS 803.415.
33 The department shall apportion any fee under this section to reflect the number of quarters regis-
34 tered for a vehicle registered for a quarterly registration period under ORS 803.415. The fees are
35 payable when a vehicle is registered and upon renewal of registration. Except as provided in ORS
36 801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing
37 body of a county or by the governing body of a district, as defined in ORS 801.237 under ORS
38 801.041 or 801.042 as an additional registration fee for the vehicle. The fees for registration of ve-
39 hicles are as follows:

40 **(1) Vehicles not otherwise provided for in this section or ORS 821.320, \$27 for each year of the**
41 **registration period.**

42 **(2) Mopeds, \$15 for each year of the registration period.**

43 **(3) Motorcycles, \$15 for each year of the registration period.**

44 **(4) Government-owned vehicles registered under ORS 805.040, \$3.50.**

45 **(5) State-owned vehicles registered under ORS 805.045, \$3.50 on registration or renewal.**

1 (6) Undercover vehicles registered under ORS 805.060, \$3.50 on registration or renewal.

2 (7) Antique vehicles registered under ORS 805.010, \$54.

3 (8) Vehicles of special interest registered under ORS 805.020, \$81.

4 (9) Electric vehicles and hybrid vehicles that use electricity and another source of motive power,
5 as follows:

6 (a) The registration fee for an electric or hybrid vehicle not otherwise described in this sub-
7 section is \$27 for each year of the registration period.

8 (b) The registration fee for electric or hybrid vehicles that have two or three wheels is \$27. This
9 paragraph does not apply to electric or hybrid mopeds. Electric or hybrid mopeds are subject to the
10 same registration fee as otherwise provided for mopeds under this section.

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

13 (A) Motor homes.

14 (B) Commercial buses.

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

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

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

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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

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1	52,001	to	54,000	330
2	54,001	to	56,000	337
3	56,001	to	58,000	352
4	58,001	to	60,000	368
5	60,001	to	62,000	383
6	62,001	to	64,000	398
7	64,001	to	66,000	406
8	66,001	to	68,000	421
9	68,001	to	70,000	429
10	70,001	to	72,000	444
11	72,001	to	74,000	452
12	74,001	to	76,000	467
13	76,001	to	78,000	475
14	78,001	to	80,000	490
15	80,001	to	82,000	498
16	82,001	to	84,000	513
17	84,001	to	86,000	521
18	86,001	to	88,000	536
19	88,001	to	90,000	544
20	90,001	to	92,000	559
21	92,001	to	94,000	567
22	94,001	to	96,000	582
23	96,001	to	98,000	590
24	98,001	to	100,000	598
25	100,001	to	102,000	613
26	102,001	to	104,000	621
27	104,001	to	105,500	636

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(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:

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	Weight in Pounds		Fee
35			
36			
37	8,001	to 10,000	\$ 50
38	10,001	to 12,000	60
39	12,001	to 14,000	65
40	14,001	to 16,000	75
41	16,001	to 18,000	80
42	18,001	to 20,000	90
43	20,001	to 22,000	95
44	22,001	to 24,000	105
45	24,001	to 26,000	110

1	26,001	to	28,000	120
2	28,001	to	30,000	125
3	30,001	to	32,000	135
4	32,001	to	34,000	140
5	34,001	to	36,000	150
6	36,001	to	38,000	155
7	38,001	to	40,000	165
8	40,001	to	42,000	170
9	42,001	to	44,000	180
10	44,001	to	46,000	185
11	46,001	to	48,000	190
12	48,001	to	50,000	200
13	50,001	to	52,000	210
14	52,001	to	54,000	215
15	54,001	to	56,000	220
16	56,001	to	58,000	230
17	58,001	to	60,000	240
18	60,001	to	62,000	250
19	62,001	to	64,000	260
20	64,001	to	66,000	265
21	66,001	to	68,000	275
22	68,001	to	70,000	280
23	70,001	to	72,000	290
24	72,001	to	74,000	295
25	74,001	to	76,000	305
26	76,001	to	78,000	310
27	78,001	to	80,000	320
28	80,001	to	82,000	325
29	82,001	to	84,000	335
30	84,001	to	86,000	340
31	86,001	to	88,000	350
32	88,001	to	90,000	355
33	90,001	to	92,000	365
34	92,001	to	94,000	370
35	94,001	to	96,000	380
36	96,001	to	98,000	385
37	98,001	to	100,000	390
38	100,001	to	102,000	400
39	102,001	to	104,000	405
40	104,001	to	105,500	415

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43 (b) The owner of a vehicle described in paragraph (a) of this subsection must certify at the time
44 of initial registration, in a manner determined by the department by rule, that the motor vehicle
45 will be used exclusively to transport manufactured structures or exclusively as described in ORS

1 822.210, 825.015 or 825.017 (14). Registration of a vehicle described in paragraph (a) of this sub-
2 section is invalid if the vehicle is operated in any manner other than that described in the certif-
3 ication under this paragraph.

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

5 (13) Fixed load vehicles as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33 (20) In addition to any other fees charged for registration of vehicles in fleets under ORS
34 805.120, the department may charge the following fees:

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

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

37 (21) The registration fee for vehicles with special registration for disabled veterans under ORS
38 805.100 is a fee of \$15.

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

Weight in Pounds	Fee
8,000 or less	\$ 27

1	8,001	to	10,000	30
2	10,001	to	12,000	35
3	12,001	to	14,000	45
4	14,001	to	16,000	50
5	16,001	to	18,000	60
6	18,001	to	20,000	65
7	20,001	to	22,000	75
8	22,001	to	24,000	80
9	24,001	to	26,000	90
10	26,001	to	28,000	95
11	28,001	to	30,000	105
12	30,001	to	32,000	110
13	32,001	to	34,000	120
14	34,001	to	36,000	125
15	36,001	to	38,000	135
16	38,001	to	40,000	140
17	40,001	to	42,000	150
18	42,001	to	44,000	155
19	44,001	to	46,000	165
20	46,001	to	48,000	170
21	48,001	to	50,000	180
22	50,001	to	52,000	185
23	52,001	to	54,000	190
24	54,001	to	56,000	200
25	56,001	to	58,000	210
26	58,001	to	60,000	215
27	60,001	to	62,000	220
28	62,001	to	64,000	230
29	64,001	to	66,000	240
30	66,001	to	68,000	245
31	68,001	to	70,000	250
32	70,001	to	72,000	260
33	72,001	to	74,000	265
34	74,001	to	76,000	275
35	76,001	to	78,000	280
36	78,001	to	80,000	290
37	80,001	to	82,000	295
38	82,001	to	84,000	305
39	84,001	to	86,000	310
40	86,001	to	88,000	320
41	88,001	to	90,000	325
42	90,001	to	92,000	335
43	92,001	to	94,000	340
44	94,001	to	96,000	350
45	96,001	to	98,000	355

1	98,001	to	100,000	365
2	100,001	to	102,000	370
3	102,001	to	104,000	380
4	104,001	to	105,500	385

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

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

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

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

13 **SECTION 3e.** ORS 803.305 is amended to read:

14 803.305. This section establishes exemptions from the requirements under ORS 803.300. The ex-
15 emptions under this section are in addition to any exemptions under ORS 801.026. Vehicles exempted
16 by this section from the requirements to be registered by this state are not prohibited from being
17 registered by this state if registration is permitted under ORS 803.310. The following are exempt,
18 either partially or completely as described, from the registration requirements under ORS 803.300:

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

20 (2) Bicycles are exempt from registration.

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

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

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

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

30 (7) Snowmobiles are subject to the requirements for registration provided under ORS 821.080 to
31 821.110.

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

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

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

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

38 (b) Within the immediate construction projects, as described in the governmental agency con-
39 tract under which the work is being performed.

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

1 Forester or State Board of Forestry under ORS chapter 477 or the United States Government.

2 (12) Vehicles being used for the purposes of forest protection and fire suppression are exempt
3 if the vehicles are necessary in order to comply with ORS 477.615 or 477.650 or a similar federal
4 statute. The exemption under this subsection also applies to the vehicles described being moved to
5 or from the work area.

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

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

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

11 (b) The exemption under this subsection applies to vehicles granted exemptions under ORS
12 802.500, 802.520 or 826.005 unless otherwise provided for under paragraph (c) of this subsection.

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

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

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

20 (C) Vehicles that are proportionally registered under an agreement established under ORS
21 826.007 and according to the procedures established under ORS 826.009 and 826.011.

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

26 (d) If no exemption from registration requirements is in effect under ORS 802.500, 802.520,
27 826.005 or 826.007 with respect to another jurisdiction, any vehicle properly registered and titled in
28 such other jurisdiction and for which evidence of compliance is supplied shall receive, when oper-
29 ated in this state, the same exemptions, benefits and privileges granted by such other jurisdictions
30 to vehicles properly registered and titled in this state. Reciprocity extended under this paragraph
31 shall apply to commercial vehicles only when engaged exclusively in interstate commerce.

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

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

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

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

40 (18) Vehicles that are not registered may be operated under trip permits described under ORS
41 803.600 or under permits described under ORS 803.610 to 803.625.

42 (19) If trailers that are part of a fleet of trailers for hire are properly registered in this state
43 under an agreement entered into pursuant to ORS 802.500, all trailers that are identified as being
44 a part of the same fleet and that are currently registered in any state, territory, province, country
45 or the District of Columbia shall be permitted to operate in this state in both interstate and intra-

1 state commerce without being registered by this state.

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

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

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

6 (23) Motor assisted scooters are exempt from registration.

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

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

11 **SECTION 4.** ORS 803.045 is amended to read:

12 803.045. (1) The Department of Transportation shall issue title for a vehicle if the applicant and
13 the vehicle meet the following qualifications:

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

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

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

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

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

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

26 (e) If the vehicle is covered by an Oregon title or salvage title certificate, the applicant shall
27 surrender the Oregon title or salvage title certificate, submit an application as provided under ORS
28 803.065 or submit other evidence of ownership satisfactory to the department.

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

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

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

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

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

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

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

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

6 **SECTION 5.** ORS 803.210 is amended to read:

7 803.210. (1) The Department of Transportation shall not issue title for a vehicle described in
8 subsection (2) of this section unless:

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

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

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

14 (a) A vehicle from another jurisdiction.

15 (b) Any assembled or reconstructed vehicle.

16 (c) Any vehicle if the certificate of title has been or is required to be submitted to the depart-
17 ment, or a person is required to report to the department, under ORS 819.010, 819.012, 819.014 or
18 819.030.

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

21 (e) Replicas.

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

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

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

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

31 **SECTION 6.** ORS 803.212 is amended to read:

32 803.212. (1) The Department of Transportation, or persons or agencies authorized to do so by the
33 department, shall conduct a physical inspection of the vehicle identification number **or numbers**
34 of each vehicle located in this state and required by ORS 803.210 to be inspected. The department
35 may designate certified dealers to perform the inspection and may enter into agreements with the
36 Oregon State Police or other law enforcement agencies of this state to perform inspections. The
37 inspection shall determine whether the vehicle identification number or numbers match those on the
38 records of the department, on the title or primary ownership record or contained in other informa-
39 tion received by the department.

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

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

1 is stolen, the department:

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

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

7 (4) The department may refer a vehicle to the Oregon State Police or other appropriate law
8 enforcement agency for a vehicle identification number **or product identification number** in-
9 spection if:

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

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

17 (5) If the department refers a vehicle to a law enforcement agency under subsection (4) of this
18 section, the law enforcement agency shall inspect the vehicle. If the law enforcement agency deter-
19 mines that there is reason to believe that the identification number of the vehicle has been tampered
20 with, altered or forged or that the vehicle is stolen, the law enforcement agency may seize the ve-
21 hicle and may hold the vehicle until completing an investigation to establish the origin and owner-
22 ship of the vehicle. The department shall reimburse the Department of State Police, and may
23 reimburse any other law enforcement agency, for any inspections conducted under this subsection
24 in an amount agreed upon by the department and the Department of State Police or other law
25 enforcement agency.

26 **SECTION 7.** ORS 815.300 is amended to read:

27 815.300. This section establishes exemptions from the requirements under ORS 815.295 to be
28 equipped with a certified pollution control system. Exemptions established by this section are in
29 addition to any exemptions established by ORS 801.026. The exemptions established in this section
30 are also applicable to requirements for certification of pollution control equipment before registra-
31 tion under ORS 803.350 and 803.465. All of the following vehicles are exempt from the requirements
32 under ORS 815.295:

33 (1) Any vehicle that is not a motor vehicle.

34 (2) Any vehicle unless the vehicle is registered within:

35 (a) The boundaries of the metropolitan service district formed under ORS chapter 268 for the
36 metropolitan area, as defined in ORS 268.020, which includes the City of Portland, Oregon.

37 (b) Boundaries designated by the Environmental Quality Commission under ORS 468A.390.

38 (3) Any new motor vehicle or new motor vehicle engine when the registration results from the
39 initial retail sale thereof.

40 (4) Any motor vehicle:

41 (a) Not registered in areas designated under subsection (2)(a) of this section, including any ex-
42 pansion of such boundary under subsection (2)(b) of this section, with a model year that predates
43 by more than 20 years the year in which registration or renewal of registration is required; or

44 (b) Registered in areas designated under subsection (2)(a) of this section, including any expan-
45 sion of such boundary under subsection (2)(b) of this section, with a model year of 1974 or earlier.

1 (5) Motor vehicles that are registered as farm vehicles under ORS 805.300 or apportioned farm
2 vehicles under ORS 805.300.

3 (6) Special interest vehicles that are maintained as collectors' items and used for exhibitions,
4 parades, club activities and similar uses but not used primarily for the transportation of persons or
5 property.

6 (7) Fixed load vehicles.

7 (8) Vehicles that are proportionally registered under ORS 826.009 and 826.011 in accordance
8 with agreements established under ORS 826.007.

9 (9) Electric motor vehicles. This subsection does not exempt hybrid motor vehicles that use
10 electricity and another source of motive power.

11 (10) First response rescue units operated by political subdivisions of this state that are not used
12 to transport persons suffering from illness, injury or disability.

13 (11) A vehicle that is currently registered in Oregon at the time application for new registration
14 is received by the Department of Transportation if the new registration is a result of a change in
15 the registration or plate type and the application is received at least four months prior to the ex-
16 piration of the existing registration.

17 (12) Golf carts.

18 (13) Any Class I, Class II or Class III all-terrain vehicle.

19 (14) An original equipment manufacturer vehicle that is engineered, designed, produced and
20 warranted to use natural gas as its only fuel source.

21 **(15) Racing activity vehicles.**

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

23 468A.350. As used in ORS 468A.350 to 468A.400:

24 (1) "Certified system" means a motor vehicle pollution control system for which a certificate of
25 approval has been issued under ORS 468A.365 (3).

26 (2) "Factory-installed system" means a motor vehicle pollution control system installed by the
27 manufacturer which meets criteria for emission of pollutants in effect under federal laws and regu-
28 lations applicable on September 9, 1971, or which meets criteria adopted pursuant to ORS 468A.365
29 (1), whichever criteria are stricter.

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

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

38 **SECTION 9.** ORS 815.075 is amended to read:

39 815.075. (1) A person commits the offense of selling vehicles or equipment that violates state
40 equipment administrative rules if the person sells or offers for sale any vehicle or sells or offers for
41 sale for use upon a vehicle or uses on any vehicle any equipment if the vehicle or equipment:

42 (a) Does not conform to standards established by the Department of Transportation by rule un-
43 der ORS 815.030; and

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

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

1 ORS 815.030.

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

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

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

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

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

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

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

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

17 **SECTION 10.** ORS 815.105 is amended to read:

18 815.105. This section establishes exemptions from ORS 815.030 and 815.100. Exemptions under
19 this section are in addition to any exemptions under ORS 801.026. Exemptions under this section are
20 partial or complete as described in the following:

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

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

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

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

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

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

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

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