

Senate Bill 566

Sponsored by COMMITTEE ON BUSINESS, TRANSPORTATION AND WORKFORCE DEVELOPMENT (at the request of Recreational Vehicle Dealers Association)

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**.

Requires recreational vehicle dealer from another jurisdiction who sells recreational vehicles at show in Oregon to maintain permanent recreational vehicle service facility in Oregon.

Revises exemption from holding vehicle dealer certificate for person licensed as vehicle dealer in another jurisdiction.

A BILL FOR AN ACT

1 Relating to transportation; creating new provisions; and amending ORS 822.015 and 822.084.

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

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

5 **SECTION 2. A person who is licensed as a vehicle dealer in another jurisdiction who is**
6 **participating with other dealers in a display of recreational vehicles, including but not limited**
7 **to an auto show, shall maintain a permanent recreational vehicle service facility in Oregon**
8 **having the primary purpose of servicing and repairing recreational vehicles.**

9 **SECTION 3. ORS 822.015 is amended to read:**

10 822.015. In addition to any exemptions from the vehicle code under ORS 801.026, ORS 822.005
11 does not apply to the following vehicles or persons:

12 (1) Road rollers, farm tractors, farm trailers, trolleys, implements of husbandry, emergency ve-
13 hicles, well-drilling machinery and boat or utility trailers with a gross weight of 1,800 pounds or
14 less.

15 (2) The owner of a vehicle as shown by the vehicle title issued by any jurisdiction if the person
16 owned the vehicle primarily for personal, family or household purposes. If the person has sold,
17 traded, displayed or offered for sale, trade or exchange more than five vehicles in one calendar year,
18 the person shall have the burden of proving that the person owned the vehicles primarily for per-
19 sonal, family or household purposes or for other purposes that the Department of Transportation,
20 by rule, defines as constituting an exemption under this section.

21 (3) A receiver, trustee, personal representative or public officer while performing any official
22 duties.

23 (4) The lessor or security interest holder of a vehicle as shown by the vehicle title issued by
24 any jurisdiction.

25 (5) Except as otherwise provided in this subsection, a manufacturer who sells vehicles the
26 manufacturer has manufactured in Oregon. Nothing in this subsection prevents any manufacturer
27 from obtaining a vehicle dealer certificate under ORS 822.020. This subsection does not exempt a
28 manufacturer who sells or trades campers or travel trailers.

29 (6) An insurance adjuster authorized to do business under ORS 744.505 or 744.515 who is dis-
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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 posing of vehicles for salvage.

2 (7) Except as otherwise provided in this subsection, a person who sells or trades or offers to sell
 3 or trade a vehicle that has been used in the operation of the person’s business. This subsection does
 4 not exempt a person who is in the business of selling, trading, displaying, rebuilding, renting or
 5 leasing vehicles from any requirement to obtain a certificate for dealing in those vehicles.

6 (8) A person who is licensed as a vehicle dealer in another jurisdiction who is participating with
 7 other dealers in a display of vehicles, including but not limited to an auto show. This subsection
 8 applies only if the display is an event that lasts for 10 days or less [*and is an event for which the*
 9 *public is charged admission*].

10 (9) A person who receives no money, goods or services, either directly or indirectly, for dis-
 11 playing a vehicle or acting as an agent in the buying or selling of a vehicle.

12 (10) A person who collects, purchases, acquires, trades or disposes of vehicles and vehicle parts
 13 for the person’s own use in order to preserve, restore and maintain vehicles for the person’s own
 14 use or for hobby or historical purposes.

15 (11) A manufactured structure dealer subject to the licensing requirement of ORS 446.671 or a
 16 person exempt from licensing under ORS 446.676 when selling a vehicle, trailer or semitrailer ac-
 17 cepted in trade as part of a manufactured structure transaction. A manufactured structure dealer-
 18 ship or exempt person may not directly sell more than three vehicles per calendar year under
 19 authority of this subsection, but by consignment with a dealer certified under ORS 822.020 or
 20 822.040 may sell an unlimited number of vehicles acquired as described in this subsection.

21 (12) A lien claimant who sells vehicles in order to foreclose possessory liens.

22 (13) A lien claimant who, in a 12-month period, sells 12 or fewer vehicles that the lien claimant
 23 acquired through possessory liens if the vehicles are sold at the business location of the lien
 24 claimant.

25 (14) Electric personal assistive mobility devices.

26 **SECTION 4.** ORS 822.084 is amended to read:

27 822.084. (1) A person who organizes a show, as defined in ORS 822.083, shall apply to the De-
 28 partment of Transportation at least 30 days prior to the commencement of the show for a show li-
 29 cense for each recreational vehicle dealer participating in the show. The application must include
 30 for each dealer participating in the show the name under which the business is being conducted and
 31 the street address, city and county of the dealer’s place of business, both as listed in the dealer
 32 certificate application described in ORS 822.025. **If a recreational vehicle dealer from another**
 33 **jurisdiction is participating in the show, the application must also include the address of the**
 34 **dealer’s recreational vehicle service facility located in Oregon.**

35 (2) The department may establish an appropriate fee schedule for show licenses.

36 (3) The department may adopt all rules necessary and proper for the administration and
 37 enforcement of ORS 822.082 to 822.084.

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