

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass and Be Placed on the Consent Calendar
Vote:	9 - 0 - 0
Yeas:	Barker, Bonamici, Cameron, Flores, Komp, Krieger, Shields, Whisnant, Macpherson
Nays:	0
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	2/19

WHAT THE MEASURE DOES: Clarifies that a juvenile court has the same authority to suspend the driving privileges of a juvenile offender that a circuit court has for an adult offender. Effective upon passage.

ISSUES DISCUSSED:

- Need to suspend a juvenile's driving privileges
- 2003 re-codification did not intend to preclude a juvenile court from suspending a juvenile's driving privileges
- Department of Motor Vehicles does not intend to suspend licenses retroactively, but will suspend for offenses occurring after the effective date of this measure

EFFECT OF COMMITTEE AMENDMENT: No amendments.

BACKGROUND: SB 1088 A fixes an unintended change that occurred as a result of the reorganization of ORS 809.410 during the 2003 Legislative Session. The bill in question, SB 245, was a DMV-sponsored bill that divided the large number of suspension and revocation authorities listed in ORS 809.410 into a series of smaller statutes. The purpose was to make the law easier to read and understand, and to create efficiencies for future legislative drafting and implementation. The concept was not intended to make substantive changes to the law. Nevertheless, the new statutory provision, ORS 809.412, was worded in such a way that it did change the law by removing the authority of a juvenile court to suspend or revoke a juvenile's driving privileges based on a juvenile court's adjudication.