

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 2
Yeas:	Barton, Cameron, Esquivel, Holvey, Kennemer, Thatcher, Witt, Schaufler
Nays:	0
Exc.:	Edwards C., Matthews
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	1/28, 2/13

WHAT THE MEASURE DOES: Allows businesses that rent, lease, sell, or repair motor vehicles to avoid liability for private parking violations incurred by vehicles owned by the company if the vehicle was in the possession of a renter/lessee when the violation occurred.

ISSUES DISCUSSED:

- How a certificate of nonliability would be forwarded to the proper individual
- Economic state of the car rental/leasing industry
- What car rental/leasing companies can do with customer data, i.e. sell to third party companies

EFFECT OF COMMITTEE AMENDMENT: Allows businesses that sell or repair motor vehicles to avoid liability for private parking violations incurred by vehicles owned by the company if the vehicle was in the possession of a renter/lessee when the violation occurred. Deletes requirement that the possessor's driver's license number be included with the certificate of nonliability.

BACKGROUND: Current law provides a process by which companies that rent or lease cars for use by others may be absolved from the obligation to pay a fine that is incurred when a vehicle owned by the company is issued a ticket for a photo-radar speeding violation. Because tickets for these offenses are processed and issued by mail to the vehicle's registered owner, it is the company that owns the vehicle, rather than the individual who was in possession of the vehicle at the time the violation took place, that receives the ticket. ORS 810.436(6)(b) specifies that the company may submit a "certificate of nonliability" stating that the vehicle was in the control of a renter or lessee when the violation occurred; this certificate must also contain the name, address, and driver license number for that individual.

House Bill 2039-A provides a similar process by which car rental and leasing companies and vehicle retailers or repair shops that rent or lease vehicles may submit certificates of nonliability in cases where a vehicle owned by the company was issued a citation for parking in a private parking facility. As with ORS 810.436, the owner of the parking facility or property where the violation occurred may then use the information included in the certificate of nonliability to reissue the citation to the person who was the renter/lessee of the vehicle at the time of the infraction.