

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass the A-Engrossed Measure
Vote:	4 - 0 - 1
Yeas:	George, Schrader, Starr, Metsger
Nays:	-
Exc.:	Verger
Prepared By:	Jim Stembridge, Administrator
Meeting Dates:	4/29

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 company if vehicle was in the possession of a renter/lessee when the violation occurred.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Current statute provides a process by which companies that rent or lease cars for use by others may avoid the obligation to pay a fine 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 against the vehicle's registered owner, it is the vehicle's owner, rather than the driver, who receives the ticket. ORS 810.436(6)(b) allows the company to 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, vehicle retailers, or vehicle 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.