

A-Engrossed House Bill 2039

Ordered by the House February 25
Including House Amendments dated February 25

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Transportation for Car and Truck Rental and Leasing Association of Oregon)

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.

Authorizes [*car rental or leasing company*] **person engaged in business of selling, renting, leasing or repairing motor vehicles** to avoid liability for alleged violation of private parking if [*rented or leased vehicle was in possession of renter or lessee*] **vehicle was not in custody and control of person pursuant to terms of agreement permitting another to use vehicle** when alleged violation occurred and [*company*] **person** timely submits certificate of nonliability and other information to owner of private parking.

A BILL FOR AN ACT

1
2 Relating to unlawfully parked vehicles.

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

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS 98.810 to 98.818.**

5 **SECTION 2. (1) If the owner of a parking facility or the owner of proscribed property has**
6 **issued a citation or other notice of a parking violation alleging that a vehicle owned by a**
7 **person engaged in the business of selling, renting, leasing or repairing motor vehicles has**
8 **been left or parked in violation of ORS 98.810 and mailed a copy of the citation or notice to**
9 **the person, the person is relieved of liability for the violation if, within 30 days from the**
10 **mailing of the citation or notice, the person:**

11 **(a) Submits a certificate of nonliability stating that the vehicle was not in the custody**
12 **and control of the person, under the terms of an agreement permitting an individual to use**
13 **a motor vehicle owned by the person, when the alleged violation occurred; and**

14 **(b) Provides the name and address of the individual who was in control of the vehicle at**
15 **the time of the alleged violation.**

16 **(2) Upon receipt of the certificate of nonliability and information described in subsection**
17 **(1) of this section, the owner of the parking facility or the owner of the proscribed property**
18 **must dismiss the citation or notice with respect to the person and may reissue the citation**
19 **or notice in the name of the individual in control of the vehicle when the alleged violation**
20 **occurred.**

21 **SECTION 3. Section 2 of this 2009 Act applies to a citation or other notice of a parking**
22 **violation issued on or after the effective date of this 2009 Act.**

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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.