

House Bill 2576

Sponsored by Representative BERGER; Representative SCHAUFLE

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 persons 75 years of age or older to renew driver licenses every four years and to take driving test prior to renewal. Prorates fees.

A BILL FOR AN ACT

1
2 Relating to documents issued by the Department of Transportation; creating new provisions; and
3 amending ORS 807.130, 807.150 and 807.400.

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

5 **SECTION 1.** ORS 807.130 is amended to read:

6 807.130. (1) Except as otherwise provided in this section, a license that is issued as an original
7 license and not as a license that is renewed expires on the anniversary of the licensee's birthday:

8 (a) In the eighth calendar year after the year of issuance, **if the licensee is 71 years of age**
9 **or younger when the license is issued.**

10 (b) **On the date the licensee reaches 79 years of age, if the licensee is between 71 years**
11 **of age and 75 years of age when the license is issued.**

12 (c) **In the fourth calendar year after the year of issuance, if the licensee is 75 years of**
13 **age or older when the license is issued.**

14 (2) A license that is renewed under ORS 807.150 expires:

15 (a) Eight years from the specified expiration date of the immediately preceding license, **if the**
16 **licensee is 71 years of age or younger on the expiration date of the immediately preceding**
17 **license.**

18 (b) **On the date the licensee reaches 79 years of age, if the licensee is between 71 years**
19 **of age and 75 years of age on the expiration date of the immediately preceding license.**

20 (c) **Four years from the specified expiration date of the immediately preceding license,**
21 **if the licensee is 75 years of age or older on the expiration date of the immediately preceding**
22 **license.**

23 (3) A license that has expired does not grant driving privileges and is not valid evidence of
24 driving privileges.

25 **SECTION 2.** ORS 807.130, as amended by section 15, chapter 1, Oregon Laws 2008, is amended
26 to read:

27 807.130. (1) A license that is issued as an original license and not as a license that is renewed
28 expires on the anniversary of the licensee's birthday:

29 (a) In the eighth calendar year after the year of issuance, **if the licensee is 71 years of age**
30 **or younger when the license is issued.**

31 (b) **On the date the licensee reaches 79 years of age, if the licensee is between 71 years**

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 of age and 75 years of age when the license is issued.

2 (c) In the fourth calendar year after the year of issuance, if the licensee is 75 years of
3 age or older when the license is issued.

4 (2) A license that is renewed under ORS 807.150 expires:

5 (a) Eight years from the specified expiration date of the immediately preceding license, if the
6 licensee is 71 years of age or younger on the expiration date of the immediately preceding
7 license.

8 (b) On the date the licensee reaches 79 years of age, if the licensee is between 71 years
9 of age and 75 years of age on the expiration date of the immediately preceding license.

10 (c) Four years from the specified expiration date of the immediately preceding license,
11 if the licensee is 75 years of age or older on the expiration date of the immediately preceding
12 license.

13 (3) Notwithstanding subsections (1) and (2) of this section, a license that is issued to a person
14 who is not a citizen or permanent legal resident of the United States expires on the date the
15 licensee is no longer authorized to stay in the United States, as indicated by the documentation the
16 person presented to the Department of Transportation to provide proof of legal presence in the
17 United States as required by sections 2 and 4, chapter 1, Oregon Laws 2008, but no longer than:

18 (a) Eight years from the date of issuance, if the licensee is 71 years of age or younger when
19 the license is issued;

20 (b) On the date the licensee reaches 79 years of age, if the licensee is between 71 years
21 of age and 75 years of age when the license is issued;

22 (c) In the fourth calendar year after the year of issuance, if the licensee is 75 years of
23 age or older when the license is issued; or[,]

24 (d) If there is no definite end to the authorized stay, after a period of one year.

25 (4) A license that has expired does not grant driving privileges and is not valid evidence of
26 driving privileges.

27 **SECTION 3.** ORS 807.150 is amended to read:

28 807.150. (1) When a license expires or is about to expire, the Department of Transportation shall
29 renew the license under this section if the [holder of] **person who holds** the license qualifies for
30 renewal of the license under this section and:

31 (a) Applies for renewal within one year of the expiration of a similar license under ORS 807.130;
32 or

33 (b) Applies for issuance of a license within six months after the [applicant] **person** is discharged
34 from the Armed Forces of the United States and was licensed by this state at the time of the [ap-
35 plicant's] **person's** entry into the Armed Forces.

36 (2)(a) To qualify for renewal of a license under this section, a person must meet all of the re-
37 quirements under ORS 807.040 for the class of license sought to be renewed.[, except that] **If the**
38 **person applying for renewal is under 75 years of age**, the department may waive the examination
39 under ORS 807.070 of a person applying for renewal of a license unless the department has reason
40 to believe that the [applicant] **person** is not qualified to hold the license or unless the [applicant for
41 renewal] **person** has not previously been examined.

42 (b) **If the person applying for renewal is 75 years of age or older, the department shall**
43 **test the person's eyesight under ORS 807.070 (1) and the person's ability to operate a motor**
44 **vehicle under ORS 807.070 (3). The department may waive any other examination under ORS**
45 **807.070 of a person applying for renewal of a license unless the department has reason to**

1 **believe that the person is not qualified to hold the license or unless the person has not pre-**
 2 **viously been examined.**

3 (3) To receive a renewal under this section, the license renewal fee and the Student Driver
 4 Training Fund eligibility fee under ORS 807.370 must be paid. **For a license that expires as pro-**
 5 **vided under ORS 807.130 (2)(b) or (c), the department shall prorate the renewal, examination**
 6 **and Student Driver Training Fund eligibility fees.**

7 (4) If a person who applies for a renewal under this section is not qualified to renew the class
 8 of license sought to be renewed, the department may issue the person any lower class of license for
 9 which the person qualifies in lieu of renewing the person's license for the class of license held by
 10 the person.

11 (5) A license that is renewed under this section may be used on or after the date of issuance.
 12 If the department issues a license renewal to a person under this section before the expiration of
 13 the license being renewed, the older license is invalid. A license that becomes invalid under this
 14 subsection shall be destroyed by the person to whom it was issued.

15 (6) If the address of the *[applicant]* **person** has changed since the last time a license was issued
 16 to or renewed for the *[applicant]* **person**, the department shall require proof to verify the address
 17 of *[an applicant for renewal of a license]* **the person** in addition to anything else the department may
 18 require of the *[applicant]* **person**.

19 **SECTION 4. The amendments to ORS 807.130 and 807.150 by sections 1, 2 and 3 of this**
 20 **2009 Act apply to licenses that expire on or after the effective date of this 2009 Act.**

21 **SECTION 5.** ORS 807.400, as amended by section 22, chapter 1, Oregon Laws 2008, is amended
 22 to read:

23 807.400. (1) The Department of Transportation shall issue an identification card to any person
 24 who:

25 (a) Is domiciled in or is a resident of this state, as described in ORS 807.062;

26 (b) As required by sections 2 and 4, chapter 1, Oregon Laws 2008, furnishes proof of both legal
 27 presence in the United States and a Social Security number, or, if the person is not eligible for a
 28 Social Security number, proof of legal presence in the United States and proof that the person is
 29 not eligible for a Social Security number;

30 (c) Does not have a current, valid driver license;

31 (d) Furnishes evidence of the person's full legal name, age and identity as the department may
 32 require; and

33 (e) Submits to collection of biometric data by the department that establish the identity of the
 34 person as provided in ORS 807.024.

35 (2) The department shall work with other agencies and organizations to attempt to improve the
 36 issuance system for identification cards.

37 (3) Every original application for an identification card must be signed by the applicant. The
 38 department shall require at least one document to verify the address of an applicant for issuance
 39 of an identification card in addition to other documents the department may require of the applicant.
 40 If the address of an applicant has changed since the last time an identification card was issued to
 41 or renewed for the applicant, the department shall require proof to verify the address of the appli-
 42 cant for renewal of an identification card, in addition to anything else the department may require.

43 (4) Every identification card shall be issued upon the standard license form described under ORS
 44 807.110 and shall bear a statement to the effect that the identification card is not a license or any
 45 other grant of driving privileges to operate a motor vehicle and is to be used for identification

1 purposes only. The department shall use the same security procedures, processes, materials and
 2 features for an identification card as are required for a license under ORS 807.110. The identification
 3 card is not required to contain the residence address of persons listed in ORS 807.110 (1)(e).

4 (5) If the identification card is a limited term identification card issued under section 4, chapter
 5 1, Oregon Laws 2008, the limited term identification card shall indicate:

6 (a) That it is a limited term identification card; and

7 (b) The date on which the limited term identification card expires.

8 (6) Upon order of the juvenile court, the department shall include on the card the fact that the
 9 person issued the identification card is an emancipated minor.

10 (7) Each original identification card shall expire on a date consistent with the expiration dates
 11 of licenses as set forth in ORS 807.130 **(1)(a), (2)(a) and (3)(a) and (d), regardless of the age of**
 12 **the person who holds the card.**

13 (8) Identification cards shall be renewed under the terms for renewal of licenses as set forth in
 14 ORS 807.150.

15 (9) The fee for an original identification card or a renewal thereof shall be the fee established
 16 under ORS 807.410.

17 (10) An identification card becomes invalid if the holder of the card changes the holder's resi-
 18 dence address from that shown on the identification card and does not provide the department with
 19 notice of the change as required under ORS 807.420.

20 (11) If a person to whom an identification card was issued and who changes the person's resi-
 21 dence address appears in person at a department office that issues identification cards, the depart-
 22 ment may do any of the following:

23 (a) Issue a replacement identification card containing the new address upon receipt of the old
 24 identification card and payment of the fee established for issuing a replacement identification card
 25 with a changed address under ORS 807.410. Except as otherwise provided in subsection (13) of this
 26 section, the replacement identification card shall bear the same distinguishing number as the card
 27 being replaced.

28 (b) Note the new address on the old identification card in a manner to be determined by the
 29 department by rule.

30 (12) An identification card becomes invalid if the holder of the card changes the holder's name
 31 from that shown on the card, including a change of name by marriage, without providing the de-
 32 partment with notice of the change as required under ORS 807.420. Upon receiving such notice and
 33 the old identification card, the department shall issue a replacement identification card upon pay-
 34 ment of the fee required under ORS 807.410.

35 (13) In the event that, for a reason identified by the department by rule, a person needs a re-
 36 placement identification card that bears a distinguishing number different from the number on the
 37 card being replaced, the person to whom the card was issued may obtain a replacement card from
 38 the department upon furnishing proof satisfactory to the department of the need for such replace-
 39 ment and payment of the replacement fee under ORS 807.410.

40 (14) The department may establish by rule reasons for issuing replacement identification cards
 41 that are in addition to the reasons identified in subsections (11) to (13) of this section. The fee for
 42 a replacement identification card is provided under ORS 807.410.

43 (15) Upon cancellation of an identification card, the card is terminated and must be surrendered
 44 to the department. An identification card may be canceled for any of the reasons that driving priv-
 45 ileges or a driver license may be canceled under ORS 809.310. The department may reissue an

1 identification card canceled under this subsection when the applicant has satisfied all requirements
2 for the identification card.

3 (16) Notwithstanding any other provision of this section, the department may issue an identifi-
4 cation card to a person under this subsection without charge when the person surrenders the per-
5 son's driver license or driver permit to the department for reasons described in this subsection. If
6 the department issues an identification card under this subsection, the identification card shall ex-
7 pire at the same time as the surrendered driver license or driver permit would have expired. An
8 identification card issued under this subsection is subject to the same requirements and fees for
9 renewal or upon expiration as any other identification card issued under this section. The depart-
10 ment may issue identification cards under this subsection for any of the following reasons:

11 (a) The person voluntarily surrenders the person's driver license or driver permit to the de-
12 partment based upon the person's recognition that the person is no longer competent to drive.

13 (b) The person's driving privileges are suspended under ORS 809.419 (1). This paragraph only
14 applies if the person voluntarily surrenders the person's driver license or driver permit to the de-
15 partment as provided under ORS 809.500.

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