

# House Bill 2783

Sponsored by Representative SHIELDS (at the request of Martell Radford)

## 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 Department of Transportation to issue Oregon Trail registration plate. Imposes surcharge on issuance of plate, to be transferred to Oregon School for the Deaf and Oregon School for the Blind.

Appropriates moneys from General Fund to Department of Transportation for start-up costs of Oregon Trail registration plate program.

## A BILL FOR AN ACT

1  
2 Relating to Oregon Trail registration plate; creating new provisions; amending ORS 805.202; and  
3 appropriating money.

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

5 **SECTION 1. Sections 2 and 3 of this 2009 Act are added to and made a part of the Oregon**  
6 **Vehicle Code.**

7 **SECTION 2. (1) The Department of Transportation shall establish an Oregon Trail regis-**  
8 **tration plate program to issue special registration plates called "Oregon Trail registration**  
9 **plates" upon request to owners of motor vehicles registered under the provisions of ORS**  
10 **803.420 (1). In addition, the department may adopt rules for issuance of Oregon Trail regis-**  
11 **tration plates for vehicles not registered under the provisions of ORS 803.420 (1).**

12 **(2) In addition to any other fee authorized by law, for each Oregon Trail registration**  
13 **plate issued under subsection (1) of this section, the department shall collect a surcharge**  
14 **of \$10 payable when the plate is issued. The department shall distribute the surcharge as**  
15 **provided in section 3 of this 2009 Act.**

16 **(3) Notwithstanding ORS 803.530, Oregon Trail registration plates may be transferred**  
17 **from vehicle to vehicle if the department stops issuing the plates, as long as the plates are**  
18 **not so old, damaged, mutilated or otherwise rendered illegible as to be not useful for pur-**  
19 **poses of identification.**

20 **SECTION 3. (1) After deduction of the cost of administration of the Oregon Trail regis-**  
21 **tration plate program, the Department of Transportation shall transfer moneys from the**  
22 **surcharge imposed by section 2 of this 2009 Act in equal amounts to the Oregon School for**  
23 **the Deaf and the Oregon School for the Blind.**

24 **(2) As used in this section, "the cost of administration of the Oregon Trail registration**  
25 **plate program" is the sum of all Department of Transportation expenses for the issuance or**  
26 **transfer of Oregon Trail registration plates under section 2 of this 2009 Act that are above**  
27 **the normal costs of issuing, renewing and transferring registration plates in the normal**  
28 **course of business in the department. These expenses include, but are not limited to, the**  
29 **costs of collecting the Oregon Trail registration plate surcharge and transferring Oregon**  
30 **Trail registration plates.**

**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       **SECTION 4.** (1) The Department of Transportation shall use as a design for the plates  
 2 issued under section 2 of this 2009 Act the design of the Oregon Trail commemorative reg-  
 3 istration plate that was authorized by section 113, chapter 741, Oregon Laws 1993.

4       (2) Except as otherwise required by the design specified in subsection (1) of this section,  
 5 Oregon Trail registration plates shall comply with the requirements of ORS 803.535.

6       **SECTION 5.** (1) There is appropriated to the Department of Transportation, out of the  
 7 General Fund, for the biennium beginning July 1, 2009, the amount of \$\_\_\_\_\_ for the pur-  
 8 pose of initiating the Oregon Trail registration plate program established in section 2 of this  
 9 2009 Act, including but not limited to the registration plate design, computer programming  
 10 and production setup. Any portion of the appropriation not used for initiating the Oregon  
 11 Trail registration plate program shall be transferred to the account established under sub-  
 12 section (2) of this section.

13       (2) Notwithstanding section 3 of this 2009 Act, after deduction of the cost of adminis-  
 14 tration of the Oregon Trail registration plate program, the department shall transfer the  
 15 moneys from the surcharge imposed by section 2 of this 2009 Act to an account in the Gen-  
 16 eral Fund until sufficient funds have accumulated for the purpose of subsection (3) of this  
 17 section.

18       (3) When the department determines that moneys in sufficient amount are available in  
 19 the account established under subsection (2) of this section, the department shall reimburse  
 20 the General Fund, without interest, in an amount equal to the amount appropriated from the  
 21 General Fund under subsection (1) of this section. The moneys used to reimburse the Gen-  
 22 eral Fund under this subsection may not be considered a budget item on which a limitation  
 23 is otherwise fixed by law, but shall be in addition to any specific biennial appropriation or  
 24 amount authorized to be expended from continuously appropriated moneys for any biennial  
 25 period.

26       (4) Any moneys remaining in the account established under subsection (2) of this section  
 27 after deduction of the reimbursement required under subsection (3) of this section shall be  
 28 transferred to the Oregon School for the Deaf and the Oregon School for the Blind as pro-  
 29 vided in section 3 of this 2009 Act.

30       **SECTION 6.** ORS 805.202 is amended to read:

31       805.202. (1) As used in this section, "special registration plate" means a registration plate issued  
 32 by the Department of Transportation:

33       (a) For which a surcharge is imposed in order to raise money for an entity other than the de-  
 34 partment;

35       (b) That is not a plate issued under ORS 805.105 or 805.205;

36       (c) That is not an elected official plate issued under ORS 805.220; and

37       (d) That is not a customized plate issued under ORS 805.240.

38       (2) The Legislative Assembly may not require the Department of Transportation to offer more  
 39 than [*three*] **four** kinds of special registration plates at any one time. At any time the department  
 40 is offering [*three*] **four** kinds of special registration plates, any bill enacted by the Legislative As-  
 41 sembly that requires the department to issue a new kind of special registration plate shall include  
 42 a provision requiring the department to eliminate at least one kind of special registration plate.

43       (3) When the department eliminates a kind of special registration plate in accordance with the  
 44 provisions of a law described in subsection (2) of this section, the department shall continue to issue  
 45 the plate until the new plate is available. When the new plate is available, the department shall

1 destroy the remaining stock of the eliminated plate.

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