

House Bill 3148

Sponsored by Representative SHIELDS; Representatives GELSER, GREENLICK, HARKER, KOTEK, TOMEI

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**.

Increases registration fees for certain vehicles. Bases additional amount on value and age of vehicle.

A BILL FOR AN ACT

1
2 Relating to vehicle registration fees; creating new provisions; amending ORS 366.739, 367.173,
3 367.605, 803.315, 803.350, 803.420, 803.445, 803.455 and 822.040; and providing for revenue raising
4 that requires approval by a three-fifths majority.

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

6 **SECTION 1.** ORS 803.420 is amended to read:

7 803.420. [*This section establishes registration fees for vehicles.*] If there is uncertainty as to the
8 classification of a vehicle for purposes of the payment of registration fees under the vehicle code,
9 the Department of Transportation may classify the vehicle to assure that registration fees for the
10 vehicle are the same as for vehicles the department determines to be comparable. The registration
11 fees for the vehicle shall be those based on the classification determined by the department. Except
12 as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described
13 in this section are for an entire registration period for the vehicle as described under ORS 803.415.
14 The department shall apportion any fee under this section to reflect the number of quarters regis-
15 tered for a vehicle registered for a quarterly registration period under ORS 803.415. The fees are
16 payable when a vehicle is registered and upon renewal of registration. Except as provided in ORS
17 801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing
18 body of a county or by the governing body of a district, as defined in ORS 801.237 under ORS
19 801.041 or 801.042 as an additional registration fee for the vehicle. The fees for registration of ve-
20 hicles are as follows:

21 (1) Vehicles not otherwise provided for in this section or ORS 821.320, [~~\$27~~] **\$10** for each year
22 of the registration period, **plus an additional amount determined under section 3 of this 2009**
23 **Act.**

24 (2) Mopeds, \$15 for each year of the registration period.

25 (3) Motorcycles, \$15 for each year of the registration period.

26 (4) Government-owned vehicles registered under ORS 805.040, \$3.50.

27 (5) State-owned vehicles registered under ORS 805.045, \$3.50 on registration or renewal.

28 (6) Undercover vehicles registered under ORS 805.060, \$3.50 on registration or renewal.

29 (7) Antique vehicles registered under ORS 805.010, \$54.

30 (8) Vehicles of special interest registered under ORS 805.020, \$81.

31 (9) Electric vehicles and hybrid vehicles that use electricity and another source of motive power,

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 as follows:

2 (a) The registration fee for an electric or hybrid vehicle not otherwise described in this sub-
 3 section is [\$27] **\$10** for each year of the registration period, **plus an additional amount determined**
 4 **under section 3 of this 2009 Act.**

5 (b) The registration fee for electric or hybrid vehicles that have two or three wheels is \$27. This
 6 paragraph does not apply to electric or hybrid mopeds. Electric or hybrid mopeds are subject to the
 7 same registration fee as otherwise provided for mopeds under this section.

8 (c) The registration fees for the following electric or hybrid vehicles are the same as for com-
 9 parable nonelectric vehicles described in this section plus 50 percent of such fee:

10 (A) Motor homes.

11 (B) Commercial buses.

12 (C) Vehicles registered as farm vehicles under ORS 805.300.

13 (D) Vehicles required to establish registration weight under ORS 803.430 or 826.013.

14 (10) Motor vehicles required to establish a registration weight under ORS 803.430 or 826.013,
 15 and commercial buses as provided in the following chart, based upon the weight submitted in the
 16 declaration of weight prepared under ORS 803.435 or 826.015:

17 _____

18

19	Weight in Pounds	Fee
20	8,000 or less	\$ 27
21	8,001 to 10,000	169
22	10,001 to 12,000	192
23	12,001 to 14,000	215
24	14,001 to 16,000	238
25	16,001 to 18,000	261
26	18,001 to 20,000	291
27	20,001 to 22,000	314
28	22,001 to 24,000	345
29	24,001 to 26,000	375
30	26,001 to 28,000	184
31	28,001 to 30,000	192
32	30,001 to 32,000	207
33	32,001 to 34,000	215
34	34,001 to 36,000	230
35	36,001 to 38,000	238
36	38,001 to 40,000	253
37	40,001 to 42,000	261
38	42,001 to 44,000	276
39	44,001 to 46,000	284
40	46,001 to 48,000	291
41	48,001 to 50,000	307
42	50,001 to 52,000	322
43	52,001 to 54,000	330
44	54,001 to 56,000	337
45	56,001 to 58,000	352

1	58,001	to	60,000	368
2	60,001	to	62,000	383
3	62,001	to	64,000	398
4	64,001	to	66,000	406
5	66,001	to	68,000	421
6	68,001	to	70,000	429
7	70,001	to	72,000	444
8	72,001	to	74,000	452
9	74,001	to	76,000	467
10	76,001	to	78,000	475
11	78,001	to	80,000	490
12	80,001	to	82,000	498
13	82,001	to	84,000	513
14	84,001	to	86,000	521
15	86,001	to	88,000	536
16	88,001	to	90,000	544
17	90,001	to	92,000	559
18	92,001	to	94,000	567
19	94,001	to	96,000	582
20	96,001	to	98,000	590
21	98,001	to	100,000	598
22	100,001	to	102,000	613
23	102,001	to	104,000	621
24	104,001	to	105,500	636

25

26

27 (11)(a) Motor vehicles with a registration weight of more than 8,000 pounds that are described
 28 in ORS 825.015, that are operated by a charitable organization as defined in ORS 825.017 (14), that
 29 are certified under ORS 822.205 or that are used exclusively to transport manufactured structures,
 30 as provided in the following chart:

31

32

33	Weight in Pounds			Fee
34	8,001	to	10,000	\$ 50
35	10,001	to	12,000	60
36	12,001	to	14,000	65
37	14,001	to	16,000	75
38	16,001	to	18,000	80
39	18,001	to	20,000	90
40	20,001	to	22,000	95
41	22,001	to	24,000	105
42	24,001	to	26,000	110
43	26,001	to	28,000	120
44	28,001	to	30,000	125
45	30,001	to	32,000	135

1	32,001	to	34,000	140
2	34,001	to	36,000	150
3	36,001	to	38,000	155
4	38,001	to	40,000	165
5	40,001	to	42,000	170
6	42,001	to	44,000	180
7	44,001	to	46,000	185
8	46,001	to	48,000	190
9	48,001	to	50,000	200
10	50,001	to	52,000	210
11	52,001	to	54,000	215
12	54,001	to	56,000	220
13	56,001	to	58,000	230
14	58,001	to	60,000	240
15	60,001	to	62,000	250
16	62,001	to	64,000	260
17	64,001	to	66,000	265
18	66,001	to	68,000	275
19	68,001	to	70,000	280
20	70,001	to	72,000	290
21	72,001	to	74,000	295
22	74,001	to	76,000	305
23	76,001	to	78,000	310
24	78,001	to	80,000	320
25	80,001	to	82,000	325
26	82,001	to	84,000	335
27	84,001	to	86,000	340
28	86,001	to	88,000	350
29	88,001	to	90,000	355
30	90,001	to	92,000	365
31	92,001	to	94,000	370
32	94,001	to	96,000	380
33	96,001	to	98,000	385
34	98,001	to	100,000	390
35	100,001	to	102,000	400
36	102,001	to	104,000	405
37	104,001	to	105,500	415

38

39

40 (b) The owner of a vehicle described in paragraph (a) of this subsection must certify at the time
 41 of initial registration, in a manner determined by the department by rule, that the motor vehicle
 42 will be used exclusively to transport manufactured structures or exclusively as described in ORS
 43 822.210, 825.015 or 825.017 (14). Registration of a vehicle described in paragraph (a) of this sub-
 44 section is invalid if the vehicle is operated in any manner other than that described in the certif-
 45 ication under this paragraph.

- 1 (12) Trailers registered under permanent registration, \$10.
- 2 (13) Fixed load vehicles as follows:
- 3 (a) If a declaration of weight described under ORS 803.435 is submitted establishing the weight
- 4 of the vehicle at 3,000 pounds or less, \$54.
- 5 (b) If no declaration of weight is submitted or if the weight of the vehicle is in excess of 3,000
- 6 pounds, \$75.
- 7 (14) Trailers for hire that are equipped with pneumatic tires made of an elastic material and that
- 8 are not travel trailers or trailers registered under permanent registration, \$27.
- 9 (15) Trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500,
- 10 the same as the fee for vehicles of the same type registered under other provisions of the Oregon
- 11 Vehicle Code.
- 12 (16) Travel trailers, campers and motor homes as follows, based on length as determined under
- 13 ORS 803.425:
- 14 (a) For travel trailers or campers that are 6 to 10 feet in length, \$81.
- 15 (b) For travel trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of
- 16 length over the first 10 feet.
- 17 (c) For motor homes that are 6 to 14 feet in length, \$54.
- 18 (d) For motor homes over 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over
- 19 the first 10 feet.
- 20 (17) Special use trailers as follows, based on length as determined under ORS 803.425:
- 21 (a) For lengths 6 to 10 feet, \$54.
- 22 (b) For special use trailers over 10 feet in length, \$54 plus \$3 a foot for each foot of length over
- 23 the first 10 feet.
- 24 (18) Fees for vehicles with proportional registration under ORS 826.009, or proportioned fleet
- 25 registration under ORS 826.011, are as provided for vehicles of the same type under this section
- 26 except that the fees shall be fixed on an apportioned basis as provided under the agreement estab-
- 27 lished under ORS 826.007.
- 28 (19) For any vehicle that is registered under a quarterly registration period, a minimum of \$15
- 29 for each quarter registered plus an additional fee of \$1.
- 30 (20) In addition to any other fees charged for registration of vehicles in fleets under ORS
- 31 805.120, the department may charge the following fees:
- 32 (a) A \$2 service charge for each vehicle entered into a fleet.
- 33 (b) A \$1 service charge for each vehicle in the fleet at the time of renewal.
- 34 (21) The registration fee for vehicles with special registration for disabled veterans under ORS
- 35 805.100 is a fee of \$15.
- 36 (22) Subject to subsection (19) of this section, the registration fee for motor vehicles registered
- 37 as farm vehicles under ORS 805.300 is as follows based upon the registration weight given in the
- 38 declaration of weight submitted under ORS 803.435:

Weight in Pounds	Fee
8,000 or less	\$ 27
8,001 to 10,000	30
10,001 to 12,000	35
12,001 to 14,000	45

1	14,001	to	16,000	50
2	16,001	to	18,000	60
3	18,001	to	20,000	65
4	20,001	to	22,000	75
5	22,001	to	24,000	80
6	24,001	to	26,000	90
7	26,001	to	28,000	95
8	28,001	to	30,000	105
9	30,001	to	32,000	110
10	32,001	to	34,000	120
11	34,001	to	36,000	125
12	36,001	to	38,000	135
13	38,001	to	40,000	140
14	40,001	to	42,000	150
15	42,001	to	44,000	155
16	44,001	to	46,000	165
17	46,001	to	48,000	170
18	48,001	to	50,000	180
19	50,001	to	52,000	185
20	52,001	to	54,000	190
21	54,001	to	56,000	200
22	56,001	to	58,000	210
23	58,001	to	60,000	215
24	60,001	to	62,000	220
25	62,001	to	64,000	230
26	64,001	to	66,000	240
27	66,001	to	68,000	245
28	68,001	to	70,000	250
29	70,001	to	72,000	260
30	72,001	to	74,000	265
31	74,001	to	76,000	275
32	76,001	to	78,000	280
33	78,001	to	80,000	290
34	80,001	to	82,000	295
35	82,001	to	84,000	305
36	84,001	to	86,000	310
37	86,001	to	88,000	320
38	88,001	to	90,000	325
39	90,001	to	92,000	335
40	92,001	to	94,000	340
41	94,001	to	96,000	350
42	96,001	to	98,000	355
43	98,001	to	100,000	365
44	100,001	to	102,000	370
45	102,001	to	104,000	380

1 104,001 to 105,500 385

2
3
4 (23) The registration fee for school vehicles registered under ORS 805.050 is \$7.50.

5 (24) The registration fee for a low-speed vehicle is \$54.

6 (25) A rental or leasing company, as defined in ORS 221.275, that elects to initially register a
7 vehicle for an annual or biennial registration period shall pay a fee of \$1 in addition to the vehicle
8 registration fee provided under this section.

9 (26) Racing activity vehicles registered under ORS 805.035, \$81.

10 **SECTION 2. Section 3 of this 2009 Act is added to and made a part of the Oregon Vehicle**
11 **Code.**

12 **SECTION 3. (1) As used in this section:**

13 (a) **“Base value” means the retail price of a vehicle as suggested by the manufacturer,**
14 **plus the destination charges for the vehicle. “Base value” does not include the cost of each**
15 **accessory item or optional equipment added to the motor vehicle.**

16 (b) **“Manufacturer” means a person that manufactures or assembles motor vehicles or**
17 **that manufactures or installs on previously assembled truck chassis special bodies or equip-**
18 **ment, other than motor homes, that when installed forms an integral part of the motor ve-**
19 **hicle and constitutes a major manufacturing alteration, and when completed is owned by the**
20 **manufacturer.**

21 (2)(a) **The Department of Transportation shall establish the base value for every vehicle**
22 **registered under ORS 803.420 (1) or (9)(a) using the list price published by the manufacturer**
23 **or by any nationally recognized firm or association that compiles such data for the automo-**
24 **tive industry. The department shall calculate the base value using information available at**
25 **the time of registration.**

26 (b) **If more than one manufacturer suggested retail price is listed, the department shall**
27 **select the lowest listed price for determining the base value of a vehicle.**

28 (c) **If there is no manufacturer suggested retail price published for a vehicle, the de-**
29 **partment may establish a base value upon the cost of the vehicle if an individual provides**
30 **proof of the cost. The department shall determine by rule what constitutes proof under this**
31 **paragraph. If a person is unable to provide proof of the cost, the department may use any**
32 **other available source or method to determine the base value of the vehicle.**

33 (3) **The additional amount under ORS 803.420 (1) and (9)(a) for each year of registration**
34 **is determined as follows:**

35 (a) **For a vehicle with a base value of at least \$20,001, by multiplying the base value of**
36 **the vehicle by:**

37 (A) **One percent during the first year of vehicle life.**

38 (B) **0.9 percent during the second year of vehicle life.**

39 (C) **0.8 percent during the third year of vehicle life.**

40 (D) **0.7 percent during the fourth year of vehicle life.**

41 (E) **0.6 percent during the fifth year of vehicle life.**

42 (F) **0.5 percent during the sixth year of vehicle life.**

43 (G) **0.4 percent during the seventh year of vehicle life.**

44 (H) **0.3 percent during the eighth year of vehicle life.**

45 (I) **0.2 percent during the ninth year of vehicle life.**

1 (J) 0.1 percent during the 10th year of vehicle life.

2 (b) For a vehicle with a base value of at least \$20,001, during the 11th year of vehicle life
3 and each succeeding year, the supplemental fee is \$25.

4 (c) For a vehicle with a base value of less than \$20,001, by multiplying the base value of
5 the vehicle by:

6 (A) 0.8 percent during the first year of vehicle life.

7 (B) 0.7 percent during the second year of vehicle life.

8 (C) 0.6 percent during the third year of vehicle life.

9 (D) 0.5 percent during the fourth year of vehicle life.

10 (E) 0.4 percent during the fifth year of vehicle life.

11 (F) 0.3 percent during the sixth year of vehicle life.

12 (G) 0.2 percent during the seventh year of vehicle life.

13 (H) 0.1 percent during the eighth year of vehicle life.

14 (d) For a vehicle with a base value of less than \$20,001 during the ninth year of vehicle
15 life, and each succeeding year, the supplemental fee is \$25.

16 (4) The additional fee for a vehicle subject to personal property tax is \$200 for each year
17 of registration. The department shall revise the fee specified in this subsection on January
18 1 of each year, beginning in 2011, based on changes in the Portland-Salem, OR-WA Consumer
19 Price Index for All Urban Consumers for All Items as published by the Bureau of Labor
20 Statistics of the United States Department of Labor. The Director of Transportation shall
21 round the amount of each fee to the nearest dollar. The revised fee shall take effect January
22 1 and apply for that calendar year.

23 (5) The department may, by rule, adjust the base value of a vehicle if the vehicle signif-
24 icantly loses value due to damage to the vehicle prior to issuance or renewal of registration.
25 If a person disagrees with the department's adjustment, the person may request a contested
26 case hearing in the manner provided in ORS chapter 183.

27 (6) A supplemental fee imposed under this section may not be less than \$25 for each year
28 of registration.

29 **SECTION 4.** ORS 366.739 is amended to read:

30 366.739. Except as otherwise provided in ORS 366.744, the taxes collected under ORS 319.020,
31 319.530, 803.090, 803.420, 818.225, 825.476 and 825.480 **and section 3 of this 2009 Act**, minus [\$71.2
32 million] \$_____ per biennium, shall be allocated 24.38 percent to counties under ORS 366.762 and
33 15.57 percent to cities under ORS 366.800.

34 **SECTION 5.** ORS 367.173 is amended to read:

35 367.173. The principal, interest, premium, if any, and the purchase or tender price of the grant
36 anticipation revenue bonds issued under ORS 367.161 to 367.181 are payable solely from the follow-
37 ing moneys:

38 (1) Federal transportation funds.

39 (2) To the extent affirmatively pledged at the time issuance of revenue bonds is authorized, the
40 following moneys that are lawfully available:

41 (a) Moneys deposited in the State Highway Fund established under ORS 366.505.

42 (b) Except as provided in paragraph (c) of this subsection, moneys, once deposited in the State
43 Highway Fund established under ORS 366.505, from the following sources may be affirmatively
44 pledged:

45 (A) Moneys from the taxes and fees on motor carriers imposed under ORS 825.474 and 825.480.

1 (B) Moneys from the tax on motor vehicle fuel imposed under ORS 319.020.

2 (C) Moneys from the tax on fuel used in motor vehicles imposed under ORS 319.530.

3 (D) Moneys described under ORS 803.090 from the titling of vehicles.

4 (E) Moneys described under ORS 803.420 **and section 3 of this 2009 Act** from the registration
5 of vehicles.

6 (F) Moneys described under ORS 807.370 relating to the issuance of driver licenses and driver
7 permits.

8 (G) Moneys received by the Department of Transportation from taxes, fees or charges imposed
9 after January 1, 2001, or other revenues or moneys received by the department from sources not
10 listed in subparagraphs (A) to (F) of this paragraph that are lawfully available to be pledged under
11 this section.

12 (c) Moneys described in paragraph (b) of this subsection do not include:

13 (A) Moneys provided for appropriations to counties under ORS 366.762 to 366.768.

14 (B) Moneys provided for appropriations to cities under ORS 366.785 to 366.820.

15 (C) Moneys in the account established under ORS 366.512 for parks and recreation.

16 **SECTION 6.** ORS 367.605 is amended to read:

17 367.605. (1) Moneys deposited in the State Highway Fund established under ORS 366.505 are
18 pledged to payment of Highway User Tax Bonds issued under ORS 367.615.

19 (2) Except as provided in subsection (3) of this section, moneys, once deposited in the highway
20 fund from the following sources are subject to the use or pledge described in subsection (1) of this
21 section:

22 (a) Moneys from the taxes and fees on motor carriers imposed under ORS 825.474 and 825.480.

23 (b) Moneys from the tax on motor vehicle fuel imposed under ORS 319.020.

24 (c) Moneys from the tax on fuel used in motor vehicles imposed under ORS 319.530.

25 (d) Moneys described under ORS 803.090 from the titling of vehicles.

26 (e) Moneys described under ORS 803.420 **and section 3 of this 2009 Act** from the registration
27 of vehicles.

28 (f) Moneys described under ORS 807.370 relating to the issuance of driver licenses and driver
29 permits.

30 (g) Moneys received by the Department of Transportation from taxes, fees or charges imposed
31 after January 1, 2001, or other revenues received by the department from sources not listed in par-
32 agraphs (a) to (f) of this subsection that are available for the use or pledge described by this section.

33 (3) Moneys described under subsection (2) of this section do not include:

34 (a) Moneys provided for appropriations to counties under ORS 366.762 to 366.768.

35 (b) Moneys provided for appropriations to cities under ORS 366.785 to 366.820.

36 (c) Moneys in the account established under ORS 366.512 for parks and recreation.

37 (4) To the extent affirmatively pledged, moneys from the following sources are subject to the
38 use or pledge described in subsection (1) of this section:

39 (a) Moneys received by the Department of Transportation from the United States government.

40 (b) Any other moneys legally available to the department.

41 (5) Notwithstanding ORS 366.507, the lien or charge of any pledge of moneys securing bonds
42 issued under ORS 367.615 is superior or prior to any other lien or charge and to any law of the state
43 requiring the department to spend moneys for specified highway purposes.

44 **SECTION 7.** ORS 803.315 is amended to read:

45 803.315. (1) A person commits the offense of failure to pay the appropriate registration fee if the

1 person operates any vehicle or transports any camper that is registered in this state unless the
 2 proper fee, as established under ORS 803.420 **and section 3 of this 2009 Act**, has been paid for
 3 registration of the vehicle.

4 (2) The offense described in this section, failure to pay appropriate registration fee, is a Class
 5 D traffic violation.

6 **SECTION 8.** ORS 803.350 is amended to read:

7 803.350. This section establishes the requirements for qualification for registration. The De-
 8 partment of Transportation shall not issue registration to a vehicle if the requirements under this
 9 section are not met. The department, in the absence of just cause for refusing to register a vehicle
 10 upon application, shall assign a distinctive number or other distinctive means of identification and
 11 shall issue registration for a vehicle if all of the following requirements are met:

12 (1) The applicant applies for and is granted title in the applicant's name at the same time the
 13 person makes application for registration, or presents satisfactory evidence that title covering the
 14 vehicle has been previously issued to the applicant.

15 (2) The applicant completes an application described under ORS 803.370. If the vehicle is a re-
 16 constructed or assembled vehicle or a replica, the person must indicate that fact in the application
 17 or be subject to ORS 803.225.

18 (3) The applicant pays the department the registration fee established under ORS 803.420 **and**
 19 **section 3 of this 2009 Act** and any applicable fees for issuance of registration plates.

20 (4) For motor vehicles, proof of compliance with pollution control equipment requirements is
 21 provided to the department. Proof required to comply with this subsection is described under ORS
 22 815.310. This subsection does not apply if the vehicle is exempt from the requirements for proof of
 23 compliance under ORS 815.300.

24 (5) The applicant is domiciled in this state, as described in ORS 803.355, if required by ORS
 25 803.360 to be domiciled in the state in order to register a vehicle. If the department has reason to
 26 believe that the applicant is not domiciled in this state and is required to be in order to register a
 27 vehicle, the department may require the person to submit proof of domicile. The department shall
 28 determine by rule what constitutes proof of domicile.

29 (6) The applicant owns a vehicle that qualifies under ORS 803.360 (2) for registration in this
 30 state, if the owner is not domiciled in this state and is not required by ORS 803.200, or any other
 31 provision of law, to register the vehicle in this state.

32 (7) The applicant surrenders all evidence of any former registration or title as required by ORS
 33 803.380.

34 (8)(a) Beginning with 2009 model year new motor vehicles, the applicant provides proof of com-
 35 pliance with low emission motor vehicle standards adopted pursuant to ORS 468A.360. The depart-
 36 ment shall determine by rule what constitutes proof of compliance with low emission motor vehicle
 37 standards.

38 (b) The department shall determine by rule which new motor vehicles are exempt from the re-
 39 quirements of this subsection. Any rules adopted pursuant to this paragraph shall be consistent with
 40 the Environmental Quality Commission standards adopted pursuant to ORS 468A.360.

41 (c) For purposes of this subsection, "new motor vehicle" means a motor vehicle with 7,500 miles
 42 or less on the odometer when the vehicle is initially registered under ORS 803.420 (1), 805.100 or
 43 805.120.

44 (9) If required to do so by the department, the applicant provides the department with satisfac-
 45 tory proof that the vehicle was designed to be operated on highways and meets equipment require-

1 ments imposed by statute or rule for the lawful operation of a vehicle on highways. The department
 2 may adopt rules specifying the kinds of vehicles that are subject to this subsection and what con-
 3 stitutes satisfactory proof under this subsection.

4 **SECTION 9.** ORS 803.445 is amended to read:

5 803.445. (1) The governing body of a county may impose registration fees for vehicles as pro-
 6 vided in ORS 801.041.

7 (2) The governing body of a district may impose registration fees for vehicles as provided in ORS
 8 801.042.

9 (3) The Department of Transportation shall provide by rule for the administration of laws au-
 10 thORIZING county and district registration fees and for the collection of those fees.

11 (4) Any registration fee imposed under this section shall be imposed in a manner consistent with
 12 ORS 803.420.

13 (5) No county or district may impose a vehicle registration fee that would by itself, or in com-
 14 bination with any other vehicle registration fee imposed under this section, exceed the amount of
 15 the fee imposed under ORS 803.420 (1) **and section 3 of this 2009 Act**. The owner of any vehicle
 16 subject to multiple fees under this section shall be allowed a credit or credits with respect to one
 17 or more of such fees so that the total of such fees does not exceed the amount of the fee imposed
 18 under ORS 803.420 (1) **and section 3 of this 2009 Act**.

19 **SECTION 10.** ORS 803.455 is amended to read:

20 803.455. (1) A person commits the offense of failure to renew vehicle registration if the regis-
 21 tration period for a vehicle registered in the person's name expires and the person does not pay the
 22 fee required for renewal of registration.

23 (2) This section does not apply if the vehicle is no longer required or qualified to be registered
 24 in this state when the registration period expires.

25 (3) The fee required to be paid for renewal of registration under this section is the same fee that
 26 is required for registration of the vehicle under ORS 803.420 **and section 3 of this 2009 Act**.

27 (4) The offense described in this section, failure to renew vehicle registration, is a Class D
 28 traffic violation.

29 **SECTION 11.** ORS 822.040 is amended to read:

30 822.040. (1) The holder of a current, valid vehicle dealer certificate issued under ORS 822.020
 31 may exercise the following privileges under the certificate:

32 (a) A dealer is authorized, without violating ORS 803.025 or 803.300, to use and operate over
 33 and along the highways of this state all vehicles displaying the dealer's plates whether registered
 34 or not or whether or not a title is issued for the vehicle. This paragraph does not authorize dealers
 35 to use or operate vehicles under dealer plates unless the vehicles are actually owned or controlled
 36 by the dealer and in actual use by the dealer, members of the dealer's firm, any salesperson thereof
 37 or any person authorized by the dealer. Vehicles operated under dealer plates may be used for the
 38 same purposes as are any other vehicles registered in this state that are registered by payment of
 39 the fee under ORS 803.420 **and section 3 of this 2009 Act**. This paragraph is subject to the limita-
 40 tions under ORS 822.045.

41 (b) A dealer is entitled to receive dealer plates or devices and replacement or additional dealer
 42 plates or devices. As many additional dealer plates as may be desired may be obtained upon the
 43 filing of a formal application for additional plates with the Department of Transportation. The plates
 44 issued to dealers shall require the payment of fees as provided under ORS 805.250.

45 (c) The person is not subject to the prohibitions and penalties under ORS 822.005 as long as the

1 holder's vehicle dealer business is conducted in a location approved under the certificate.

2 (d) The dealer shall be considered the owner of vehicles manufactured or dealt in by the dealer,
 3 before delivery and sale of the vehicles, and of all vehicles in the dealer's possession and operated
 4 or driven by the dealer or the dealer's employees.

5 (2) The holder of a vehicle dealer certificate may open additional places of business under the
 6 same business name by obtaining a supplemental certificate from the department under this sub-
 7 section. The following all apply to a supplemental certificate issued under this subsection:

8 (a) The department shall not issue a supplemental certificate under this subsection if the addi-
 9 tional place of business opened will be operated under a different business name than that indicated
 10 on the current certificate. Any business that a vehicle dealer operates under a separate business
 11 name must be operated under a separate certificate and the dealer must apply for and pay the fees
 12 for a regular dealer certificate for the business.

13 (b) A supplemental certificate issued under this subsection is subject to the fee for supplemental
 14 certificate under ORS 822.700.

15 (3) The holder of a vehicle dealer certificate may move a place of business or change a business
 16 name by obtaining a corrected certificate from the department. For purposes of this subsection,
 17 "place of business" includes a recreational vehicle service facility as defined in ORS 822.082. The
 18 following apply to a corrected certificate issued under this subsection:

19 (a) The department shall prescribe the form for application for a corrected certificate.

20 (b) A person applying for a corrected certificate shall pay the fee for the corrected certificate
 21 established in ORS 822.700.

22 (4) The department may establish by rule the requirements a holder of a vehicle dealer certif-
 23 icate must meet to display a vehicle at a location other than the dealer's place of business for the
 24 purpose of advertising without first obtaining a supplemental certificate from the department. In
 25 addition to any requirements established by the department by rule, all of the following apply:

26 (a) The dealer must have a signed agreement with the owner of the property or the person using
 27 the property where the vehicle is to be displayed stating that the vehicle is for an advertising pro-
 28 motion only and that the processing of any documents or other activities required to purchase a
 29 vehicle must be done at the dealer's place of business.

30 (b) The vehicle on display must be clearly marked with the dealer's name and contact informa-
 31 tion and a notice that the vehicle is displayed only for the purpose of advertising and may be pur-
 32 chased only at the dealer's place of business.

33 (c) Displaying the vehicle must not violate any zoning laws or ordinances.

34 (d) The dealer or the dealer's employees may not remain with the vehicle except for the purpose
 35 of moving the vehicle in or out of the display area.

36 (5) A vehicle dealer certificate is valid for a three-year period and may be renewed as provided
 37 by the department. The department shall only renew a certificate if the applicant for renewal does
 38 all of the following:

39 (a) Pays the required fee for renewal under ORS 822.700.

40 (b) Delivers to the department a bond that meets the requirements under ORS 822.030.

41 (c) Delivers to the department a certificate of insurance that meets the requirements under ORS
 42 822.033.

43 (d) Provides the names of all partners or corporate officers.

44 (e) Certifies completion of the education requirements of ORS 822.027 (1) if the person is a
 45 dealer subject to the education requirements.

1 (f) If the dealer offers new recreational vehicles for sale under the certificate, certifies that the
2 dealer maintains a recreational vehicle service facility as listed in the dealer certificate application
3 described in ORS 822.025.

4 (6) The department may adopt suitable rules for the issuance and renewal of certificates under
5 this section and ORS 822.020.

6 **SECTION 12. Section 3 of this 2009 Act and the amendments to ORS 803.420 by section**
7 **1 of this 2009 Act apply to issuance or renewal of vehicle registration on or after the effective**
8 **date of this 2009 Act.**

9
