

Enrolled
House Bill 3151

Sponsored by Representative HARKER; Representative RILEY, Senator BONAMICI (at the request of Ric Tosh)

CHAPTER

AN ACT

Relating to vehicle transfer; amending ORS 803.113 and 803.117.

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

SECTION 1. ORS 803.117 is amended to read:

803.117. A transferor who has [*made a bona fide transfer of a vehicle and has*] delivered possession of [*it*] **a vehicle** to a transferee [*shall*] **may** not, by reason of any of the provisions of the Oregon Vehicle Code, be subject to civil liability or criminal liability for the parking, abandoning or operation of the vehicle by another person when the transferor has:

- (1) Notified the Department of Transportation of the transfer; and
- (2) Assigned the title to the transferee.

SECTION 2. ORS 803.113 is amended to read:

803.113. (1) Except as otherwise provided by rule of the Department of Transportation under subsection (3) of this section, upon receipt of a notification of transfer described in ORS 803.112, the department shall make a notation on its records indicating that it has received notification that an interest in the vehicle has been transferred. The notation shall be made whether or not the form submitted to the department contains all the information required by the department under ORS 803.112, so long as there is sufficient information to identify the vehicle. Thereafter, until a new title is issued, when the department is asked to provide the name of the owner of a vehicle as shown on its records, the department shall provide the name of the transferor and indicate that department records show a notification of transfer but do not show a title transfer. The department shall also provide the name of the transferee if it is shown on the form submitted by the transferor under ORS 803.112.

(2) Whenever the Oregon Vehicle Code or other statute requires notice to the owner of a motor vehicle, the person required to provide notice shall provide the notice to the current owner as shown on the records of the department and to any transferee shown as a result of notification to the department under ORS 803.112.

(3) The department may adopt rules for the implementation of ORS 803.112 and this section. Rules shall be designed to allow the department to implement ORS 803.112 and this section in a way that is efficient and convenient for the public and the department. Rules under this section may include, but need not be limited to, rules authorizing the department to remove information recorded under this section, [*and*] **specifying circumstances under which information submitted need not be recorded and specifying circumstances under which the department provides a receipt of notification that an interest in a vehicle has been transferred.**

Passed by House May 1, 2009

.....
Chief Clerk of House

.....
Speaker of House

Passed by Senate June 3, 2009

.....
President of Senate

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

.....
Governor

Filed in Office of Secretary of State:

.....M,....., 2009

.....
Secretary of State