

SENATE AMENDMENTS TO SENATE BILL 129

By COMMITTEE ON BUSINESS AND TRANSPORTATION

March 4

1 On page 1 of the printed bill, line 3, delete “813.052,” and after the semicolon insert “repealing
2 ORS 813.052;”.

3 In line 11, after “809.404” insert a period and delete the rest of the line.

4 Delete line 12.

5 On page 8, line 9, delete “knowingly”.

6 On page 10, delete lines 1 through 12.

7 In line 13, delete “12” and insert “11”.

8 In line 43, delete “13” and insert “12”.

9 On page 11, delete lines 14 through 16 and insert:

10 **“SECTION 13. Section 14 of this 2009 Act is added to and made a part of the Oregon
11 Vehicle Code.**

12 **“SECTION 14. (1) The Department of Transportation shall impose a civil penalty on the
13 operator of a commercial motor vehicle if:**

14 **“(a) The operator has violated an out-of-service order issued under ORS 813.050 or any
15 other out-of-service order or notice issued by the department or an authorized represen-
16 tative of the department; or**

17 **“(b) The department receives notification that a person has violated any out-of-service
18 order or notice issued by a state or federal agency.**

19 **“(2) For the purposes of this section, ‘notification’ may include, but is not limited to, a
20 record of conviction or a record of a determination by a state or federal agency with juris-
21 diction to determine that the operator has violated an out-of-service order or notice.**

22 **“(3) Civil penalties under this section shall be imposed in the manner provided in ORS
23 183.745 and may not be reduced. The civil penalties are:**

24 **“(a) \$2,500 for the first violation of an out-of-service order or notice.**

25 **“(b) \$5,000 for a second or subsequent violation of an out-of-service order or notice.**

26 **“SECTION 15. ORS 813.052 is repealed.**

27 **“SECTION 16. Sections 2 and 14 of this 2009 Act, the amendments to ORS 801.208, 807.020,
28 807.031, 807.173, 809.413, 825.955 and 825.960 by sections 3, 6 to 9, 11 and 12 of this 2009 Act
29 and the repeal of ORS 813.052 by section 15 of this 2009 Act become operative on January 1,
30 2010.”.**

31 In line 17, delete “15” and insert “17”.

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