

# Senate Bill 231

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## 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**.

Allows school superintendent or school district board to request suspension of driving privileges of student in certain instances for possession, use or delivery of alcohol or for being under influence of alcohol.

## A BILL FOR AN ACT

1  
2 Relating to school district board policy on suspension of driving privileges; creating new provisions;  
3 and amending ORS 339.254.

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

5 **SECTION 1.** ORS 339.254 is amended to read:

6 339.254. (1) A school district board may establish a policy regarding when a school superinten-  
7 dent or the board may file with the Department of Transportation a written request to suspend the  
8 driving privileges of a student or the right to apply for driving privileges. Such policy shall include:

9 (a) A provision authorizing the superintendent or the school district board to file with the De-  
10 partment of Transportation a written request to suspend the driving privileges of a student or the  
11 right to apply for driving privileges only if the student is at least 15 years of age and:

12 (A) The student has been expelled for bringing a weapon to school;

13 (B) The student has been suspended or expelled at least twice for assaulting or menacing a  
14 school employee or another student, for willful damage or injury to school property or for use of  
15 threats, intimidation, harassment or coercion against a school employee or another student; or

16 (C) The student has been suspended or expelled at least twice for possessing, using or delivering  
17 **alcohol or** any controlled substance or for being under the influence of **alcohol or** any controlled  
18 substance at a school or on school property or at a school sponsored activity, function or event.

19 (b) A provision requiring the school superintendent to meet with the parent or guardian of the  
20 student before submitting a written request to the Department of Transportation.

21 (c) A provision authorizing the school superintendent or board to request that the driving priv-  
22 ileges of the student or the right to apply for driving privileges be suspended for no more than one  
23 year.

24 (d) Notwithstanding paragraph (c) of this subsection, a provision stating that, if a school super-  
25 intendent or the school district board files a second written request with the Department of Trans-  
26 portation to suspend the driving privileges of a student, the request is that those privileges be  
27 suspended until the student is 21 years of age.

28 (e) A provision that a student may appeal the decision of a school superintendent regarding  
29 driving privileges of a student under the due process procedures of the school district for suspen-  
30 sions and expulsions.

**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 (2) If the driving privileges of a student are suspended, the student may apply to the Department  
2 of Transportation for a hardship driver permit under ORS 807.240.

3 **SECTION 2. The amendments to ORS 339.254 by section 1 of this 2009 Act first apply to**  
4 **actions occurring on or after the effective date of this 2009 Act that result in a suspension**  
5 **or an expulsion.**

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