

**Enrolled**  
**Senate Bill 546**

Sponsored by Senator WALKER

CHAPTER .....

AN ACT

Relating to motorcycles; creating new provisions; and amending ORS 807.070, 807.170, 807.175 and 807.370.

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

**SECTION 1.** ORS 807.070 is amended to read:

807.070. The Department of Transportation shall administer an examination to establish qualification for each class of license and endorsement. The examination for each class of license or endorsement *[shall]* **must** include all of the following as described:

(1) A test of the applicant’s eyesight. This subsection does not apply to an applicant with a limited vision condition as defined in ORS 807.355.

(2) A test of the applicant’s knowledge and understanding of the traffic laws of this state, safe driving practices and factors that cause accidents. The following all apply to the test under this subsection:

(a) The test *[shall]* **may** not cover any subject that is not presented in the publications of the department intended for the instruction of applicants for licenses and driver permits.

(b) The test for each class of license and endorsement *[shall]* **must** include, but is not limited to, a test of knowledge and understanding of traffic laws that relate specifically to the type of driving privileges granted under the specific class of license or endorsement sought.

(c) The test *[under this subsection shall]* **must** include, but is not limited to, the following subjects:

- (A) Rights of pedestrians who are blind.
- (B) The meaning of official traffic signs and signals.
- (C) Proper operating procedure in emergency situations.
- (D) Vehicle safety equipment and its use.
- (E) Practices necessary for safe operation of a vehicle around pedestrians and bicyclists.
- (F) Practices necessary for safe operation of a vehicle around motorcyclists.**
- (d) The test must include at least two questions pertaining to the practices necessary for safe operation of a vehicle around motorcyclists.**

*[(d)]* (e) The test may include a question regarding fuel efficient driving techniques.

*[(e)]* (f) The department may waive the test under circumstances described in ORS 807.072.

(3) A test that is an actual demonstration of the applicant’s ability to operate a motor vehicle without endangering the safety of persons or property. The following apply to this subsection:

(a) The actual demonstration for each class of license shall be performed in a vehicle that may be operated under the class of license sought, but that may not be operated under lower classes of license.

(b) An actual demonstration for a passenger endorsement shall be performed in a vehicle that is designed to transport 16 or more persons, including the driver.

(c) An actual demonstration for a school bus endorsement shall be performed in a school bus.

(d) The department may waive the demonstration under circumstances described in ORS 807.072.

(4) Any other examination or test, including demonstrations, that the department determines may be necessary to assist the department in establishing whether the applicant is eligible for a license under ORS 807.060 or whether the applicant is fit to operate a motor vehicle safely on the highways of this state. In any examination or test under this subsection, the department shall only conduct an investigation for facts relating directly to the ability of the applicant to operate a motor vehicle safely or other facts that are specifically required to show the fitness of the applicant for license.

**SECTION 2.** ORS 807.170 is amended to read:

807.170. (1) The Department of Transportation shall provide for the granting of driver license endorsements in a manner consistent with this section.

(2) The department shall grant an endorsement to any person who complies with all of the following requirements:

(a) The person must hold a valid license other than a restricted Class C license issued under the vehicle code.

(b) The person must successfully complete any tests and demonstrations referred to in ORS 807.070 that the department determines necessary to determine whether the applicant is qualified for the type of endorsement sought. The actual demonstration required under ORS 807.070, if any, must be performed in a vehicle that may be operated under the endorsement sought but that may not be operated without the endorsement. Tests shall include, but are not limited to, those tests necessary to determine whether the applicant:

(A) Has satisfactory knowledge of laws relating to operation under the type of endorsement sought, defensive driving skills, the common causes of accidents involving vehicles operated under the type of endorsement sought; and

(B) Can operate under the endorsement in a manner that will not jeopardize the safety of persons or property.

(c) The appropriate fee under ORS 807.370 for the endorsement, including the fee for the Motorcycle Safety Subaccount, must be paid.

(d) If the person is [*under 21 years of age and an applicant*] **applying** for a motorcycle endorsement, the person must comply with ORS 807.175.

(3) An endorsement granted under this section is subject to the following:

(a) It is part of the license upon which it is endorsed and is subject to any provisions applicable to the endorsed license under the statutes of this state.

(b) It is valid only if the license endorsed is valid.

(c) The appropriate fee under ORS 807.370 must be paid upon renewal of the endorsement in addition to any fee for renewal of the license endorsed.

(d) Except as provided under ORS 807.350 or as specifically provided under ORS 809.419, an endorsement cannot be canceled, suspended or revoked separately from the license endorsed. When an endorsed license is canceled, suspended or revoked, all endorsements on the license are subject to the same cancellation, suspension or revocation as the license.

(4) Before the department may renew any license with a motorcycle endorsement, the applicant shall pay the department the Motorcycle Safety Subaccount fee established under ORS 807.370 in addition to any fee for renewal of the license.

**SECTION 3.** ORS 807.175 is amended to read:

807.175. (1) The Department of Transportation may not issue a motorcycle endorsement to [*any*] a person [*who is under 21 years of age*] unless the person shows to the satisfaction of the department that the person has successfully completed a motorcycle rider education course established by the department under ORS 802.320. This requirement is in addition to any other requirement for the endorsement.

**(2) Subsection (1) of this section does not apply to a person applying for issuance of a motorcycle endorsement under ORS 807.170 who currently holds a motorcycle endorsement issued by another state.**

**SECTION 4.** ORS 807.370, as amended by section 17, chapter 1, Oregon Laws 2008, is amended to read:

807.370. The following are the fees relating to the issuance and renewal of licenses, driver permits and endorsements:

- (1) Disability golf cart driver permit fees under ORS 807.210, as follows:
  - (a) For issuance, \$43.
  - (b) For renewal fee under ORS 807.210, \$31.
- (2) Emergency driver permit fee under ORS 807.220, \$22.50.
- (3) Instruction driver permit fees under ORS 807.280, as follows:
  - (a) For issuance, \$22.50.
  - (b) For renewal, \$22.50.
- (4)(a) License issuance fee for a Class C license, \$53.
- (b) Fee to take the knowledge test for a Class C license, \$5.
- (c) Fee to take the skills test for a Class C license, \$9.
- (5) License issuance fee for a restricted Class C license, \$53.
- (6) License issuance fee for a commercial driver license, whether or not the license contains endorsements, \$74.50.
- (7) Test fees for a commercial driver license or permit:
  - (a) To take the knowledge test for a Class A commercial license or permit, \$10.
  - (b) To take the skills test for a Class A commercial license, \$70.
  - (c) To take the knowledge test for a Class B commercial license or permit, \$10.
  - (d) To take the skills test for a Class B commercial license, \$70.
  - (e) To take the knowledge test for a Class C commercial license or permit, \$10.
  - (f) To take the skills test for a Class C commercial license, \$70.
- (8) Notwithstanding subsection (6) of this section, for issuance of a commercial driver license of any class when the Department of Transportation accepts a certificate of competency issued under ORS 807.080, \$40 in addition to the fee under subsection (6) of this section.
- (9) Notwithstanding subsection (6) of this section, for original issuance of a school bus endorsement to a person who has a commercial driver license with a passenger endorsement:
  - (a) \$21; or
  - (b) \$61 if the department accepts a certificate of competency issued under ORS 807.080.
- (10) For a farm endorsement, \$26.
- (11) Test fees for the knowledge test for endorsements other than motorcycle and farm endorsements:
  - (a) For a hazardous materials endorsement, \$10.
  - (b) For a tank vehicle endorsement, \$10.
  - (c) For a passenger endorsement, \$10.
  - (d) For a double and triple trailer endorsement, \$10.
  - (e) For a school bus endorsement, \$10.
- (12) Fee to take an airbrake knowledge test, \$10.
- (13) Fee to take an airbrake skills test to remove an airbrake restriction, \$56.
- (14) License renewal fee for a commercial driver license, \$54.50.
- (15) License renewal fee for a Class C license, \$33.
- (16) License or driver permit replacement fee under ORS 807.160, \$25.50.
- (17) Original endorsement issuance fee under ORS 807.170 for a motorcycle endorsement, \$46, in addition to any fees for the endorsed license.
- (18) Special student driver permit fee under ORS 807.230, \$22.50.
- (19) Student Driver Training Fund eligibility fee under ORS 807.040 and 807.150, \$6.
- (20) Motorcycle Safety Subaccount fee as follows:

- (a) Upon original issuance of motorcycle endorsements under ORS 807.170, [~~\$28~~] **\$38**.
- (b) Upon renewal of a license with a motorcycle endorsement under ORS 807.170, \$28.
- (21) Probationary driver permit application fee under ORS 807.270, \$50.
- (22) Hardship driver permit application fee under ORS 807.240, \$50.
- (23) Fee for reinstatement of revoked driving privileges under ORS 809.390, \$75.
- (24) Fee for reinstatement of suspended driving privileges under ORS 809.380, \$75.
- (25) Fee for reinstatement of right to apply for driving privileges after a delay under ORS 809.280 (10) (1997 Edition), the same as the fee for reinstatement of suspended driving privileges.
- (26) Fee for a special limited vision condition learner's permit under ORS 807.359, \$13.

**SECTION 5.** ORS 807.370, as amended by sections 17 and 19, chapter 1, Oregon Laws 2008, is amended to read:

807.370. The following are the fees relating to the issuance and renewal of licenses, driver permits and endorsements:

- (1) Disability golf cart driver permit fees under ORS 807.210, as follows:
  - (a) For issuance, \$44.
  - (b) For renewal fee under ORS 807.210, \$32.
- (2) Emergency driver permit fee under ORS 807.220, \$23.50.
- (3) Instruction driver permit fees under ORS 807.280, as follows:
  - (a) For issuance, \$23.50.
  - (b) For renewal, \$23.50.
- (4)(a) License issuance fee for a Class C license, \$54.
- (b) Fee to take the knowledge test for a Class C license, \$5.
- (c) Fee to take the skills test for a Class C license, \$9.
- (5) License issuance fee for a restricted Class C license, \$54.
- (6) License issuance fee for a commercial driver license, whether or not the license contains endorsements, \$75.50.
- (7) Test fees for a commercial driver license or permit:
  - (a) To take the knowledge test for a Class A commercial license or permit, \$10.
  - (b) To take the skills test for a Class A commercial license, \$70.
  - (c) To take the knowledge test for a Class B commercial license or permit, \$10.
  - (d) To take the skills test for a Class B commercial license, \$70.
  - (e) To take the knowledge test for a Class C commercial license or permit, \$10.
  - (f) To take the skills test for a Class C commercial license, \$70.
- (8) Notwithstanding subsection (6) of this section, for issuance of a commercial driver license of any class when the Department of Transportation accepts a certificate of competency issued under ORS 807.080, \$40 in addition to the fee under subsection (6) of this section.
- (9) Notwithstanding subsection (6) of this section, for original issuance of a school bus endorsement to a person who has a commercial driver license with a passenger endorsement:
  - (a) \$21; or
  - (b) \$61 if the department accepts a certificate of competency issued under ORS 807.080.
- (10) For a farm endorsement, \$26.
- (11) Test fees for the knowledge test for endorsements other than motorcycle and farm endorsements:
  - (a) For a hazardous materials endorsement, \$10.
  - (b) For a tank vehicle endorsement, \$10.
  - (c) For a passenger endorsement, \$10.
  - (d) For a double and triple trailer endorsement, \$10.
  - (e) For a school bus endorsement, \$10.
- (12) Fee to take an airbrake knowledge test, \$10.
- (13) Fee to take an airbrake skills test to remove an airbrake restriction, \$56.
- (14) License renewal fee for a commercial driver license, \$55.50.
- (15) License renewal fee for a Class C license, \$34.

- (16) License or driver permit replacement fee under ORS 807.160, \$26.50.
- (17) Original endorsement issuance fee under ORS 807.170 for a motorcycle endorsement, \$46, in addition to any fees for the endorsed license.
- (18) Special student driver permit fee under ORS 807.230, \$23.50.
- (19) Student Driver Training Fund eligibility fee under ORS 807.040 and 807.150, \$6.
- (20) Motorcycle Safety Subaccount fee as follows:
  - (a) Upon original issuance of motorcycle endorsements under ORS 807.170, [~~\$28~~] **\$38**.
  - (b) Upon renewal of a license with a motorcycle endorsement under ORS 807.170, \$28.
- (21) Probationary driver permit application fee under ORS 807.270, \$50.
- (22) Hardship driver permit application fee under ORS 807.240, \$50.
- (23) Fee for reinstatement of revoked driving privileges under ORS 809.390, \$75.
- (24) Fee for reinstatement of suspended driving privileges under ORS 809.380, \$75.
- (25) Fee for reinstatement of right to apply for driving privileges after a delay under ORS 809.280 (10) (1997 Edition), the same as the fee for reinstatement of suspended driving privileges.
- (26) Fee for a special limited vision condition learner's permit under ORS 807.359, \$13.
- (27)(a) License issuance fee for a Class C limited term license, \$23.
- (b) Fee to take the knowledge test for a Class C limited term license, \$5.
- (c) Fee to take the skills test for a Class C limited term license, \$9.
- (28) License issuance fee for a restricted Class C limited term license, \$23.
- (29) License issuance fee for a limited term commercial driver license, whether or not the license contains endorsements, \$45.
- (30) License renewal fee for a limited term commercial driver license, \$14.
- (31) License renewal fee for a Class C limited term license, \$8.
- (32) Limited term license or limited term driver permit replacement fee under ORS 807.160, \$26.50.
- (33) Limited term Student Driver Training Fund eligibility fee under ORS 807.040 and 807.150, \$2.

**SECTION 6. The requirement in ORS 807.175, as amended by section 3 of this 2009 Act, to complete the motorcycle rider education course established by the Department of Transportation under ORS 802.320 applies:**

- (1) On or after January 1, 2011, to persons who are under 31 years of age as of that date.**
- (2) On or after January 1, 2012, to persons who are under 41 years of age as of that date.**
- (3) On or after January 1, 2013, to persons who are under 51 years of age as of that date.**
- (4) On or after January 1, 2014, to persons who are under 61 years of age as of that date.**
- (5) On or after January 1, 2015, to all persons.**

**Passed by Senate June 17, 2009**

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Secretary of Senate

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President of Senate

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Speaker of House

**Received by Governor:**

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

**Approved:**

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

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Governor

**Filed in Office of Secretary of State:**

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Secretary of State