

A-Engrossed
Senate Bill 546

Ordered by the Senate May 1
Including Senate Amendments dated May 1

Sponsored by Senator WALKER

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.

Directs Department of Transportation to include on driver license examination at least two questions pertaining to practices necessary for safe operation of vehicle around motorcyclists.

Requires person of any age applying for first time for motorcycle endorsement to complete motorcycle rider education course.

Increases motorcycle endorsement fees.

[Allows person to enter into motorcycle improvement agreement if person is cited for operating motorcycle without holding motorcycle endorsement. Allows dismissal of charge upon successful completion of motorcycle rider education course.]

Directs Department of Transportation to phase in motorcycle rider education course program for persons 21 years of age and older.

A BILL FOR AN ACT

1
2 Relating to motorcycles; creating new provisions; and amending ORS 807.070, 807.170, 807.175 and
3 807.370.

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

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

6 807.070. The Department of Transportation shall administer an examination to establish quali-
7 fication for each class of license and endorsement. The examination for each class of license or
8 endorsement *[shall]* **must** include all of the following as described:

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

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

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

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

19 (c) The test *[under this subsection shall]* **must** include, but is not limited to, the following sub-
20 jects:

21 (A) Rights of pedestrians who are blind.

22 (B) The meaning of official traffic signs and signals.

23 (C) Proper operating procedure in emergency situations.

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 (D) Vehicle safety equipment and its use.

2 (E) Practices necessary for safe operation of a vehicle around pedestrians and bicyclists.

3 **(F) Practices necessary for safe operation of a vehicle around motorcyclists.**

4 **(d) The test must include at least two questions pertaining to the practices necessary for**
5 **safe operation of a vehicle around motorcyclists.**

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

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

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

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

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

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

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

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

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

25 807.170. (1) The Department of Transportation shall provide for the granting of driver license
26 endorsements in a manner consistent with this section.

27 (2) The department shall grant an endorsement to any person who complies with all of the fol-
28 lowing requirements:

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

31 (b) The person must successfully complete any tests and demonstrations referred to in ORS
32 807.070 that the department determines necessary to determine whether the applicant is qualified for
33 the type of endorsement sought. The actual demonstration required under ORS 807.070, if any, must
34 be performed in a vehicle that may be operated under the endorsement sought but that may not be
35 operated without the endorsement. Tests shall include, but are not limited to, those tests necessary
36 to determine whether the applicant:

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

40 (B) Can operate under the endorsement in a manner that will not jeopardize the safety of per-
41 sons or property.

42 (c) The appropriate fee under ORS 807.370 for the endorsement, including the fee for the Mo-
43 torcycle Safety Subaccount, must be paid.

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

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

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

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

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

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

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

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

15 807.175. (1) The Department of Transportation may not issue a motorcycle endorsement to
16 [any] a person [who is under 21 years of age] unless the person shows to the satisfaction of the de-
17 partment that the person has successfully completed a motorcycle rider education course established
18 by the department under ORS 802.320. This requirement is in addition to any other requirement for
19 the endorsement.

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

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

25 807.370. The following are the fees relating to the issuance and renewal of licenses, driver per-
26 mits and endorsements:

27 (1) Disability golf cart driver permit fees under ORS 807.210, as follows:

28 (a) For issuance, \$43.

29 (b) For renewal fee under ORS 807.210, \$31.

30 (2) Emergency driver permit fee under ORS 807.220, \$22.50.

31 (3) Instruction driver permit fees under ORS 807.280, as follows:

32 (a) For issuance, \$22.50.

33 (b) For renewal, \$22.50.

34 (4)(a) License issuance fee for a Class C license, \$53.

35 (b) Fee to take the knowledge test for a Class C license, \$5.

36 (c) Fee to take the skills test for a Class C license, \$9.

37 (5) License issuance fee for a restricted Class C license, \$53.

38 (6) License issuance fee for a commercial driver license, whether or not the license contains
39 endorsements, \$74.50.

40 (7) Test fees for a commercial driver license or permit:

41 (a) To take the knowledge test for a Class A commercial license or permit, \$10.

42 (b) To take the skills test for a Class A commercial license, \$70.

43 (c) To take the knowledge test for a Class B commercial license or permit, \$10.

44 (d) To take the skills test for a Class B commercial license, \$70.

45 (e) To take the knowledge test for a Class C commercial license or permit, \$10.

1 (f) To take the skills test for a Class C commercial license, \$70.

2 (8) Notwithstanding subsection (6) of this section, for issuance of a commercial driver license
3 of any class when the Department of Transportation accepts a certificate of competency issued un-
4 der ORS 807.080, \$40 in addition to the fee under subsection (6) of this section.

5 (9) Notwithstanding subsection (6) of this section, for original issuance of a school bus
6 endorsement to a person who has a commercial driver license with a passenger endorsement:

7 (a) \$21; or

8 (b) \$61 if the department accepts a certificate of competency issued under ORS 807.080.

9 (10) For a farm endorsement, \$26.

10 (11) Test fees for the knowledge test for endorsements other than motorcycle and farm
11 endorsements:

12 (a) For a hazardous materials endorsement, \$10.

13 (b) For a tank vehicle endorsement, \$10.

14 (c) For a passenger endorsement, \$10.

15 (d) For a double and triple trailer endorsement, \$10.

16 (e) For a school bus endorsement, \$10.

17 (12) Fee to take an airbrake knowledge test, \$10.

18 (13) Fee to take an airbrake skills test to remove an airbrake restriction, \$56.

19 (14) License renewal fee for a commercial driver license, \$54.50.

20 (15) License renewal fee for a Class C license, \$33.

21 (16) License or driver permit replacement fee under ORS 807.160, \$25.50.

22 (17) Original endorsement issuance fee under ORS 807.170 for a motorcycle endorsement, \$46,
23 in addition to any fees for the endorsed license.

24 (18) Special student driver permit fee under ORS 807.230, \$22.50.

25 (19) Student Driver Training Fund eligibility fee under ORS 807.040 and 807.150, \$6.

26 (20) Motorcycle Safety Subaccount fee as follows:

27 (a) Upon original issuance of motorcycle endorsements under ORS 807.170, [~~\$28~~] **\$38**.

28 (b) Upon renewal of a license with a motorcycle endorsement under ORS 807.170, \$28.

29 (21) Probationary driver permit application fee under ORS 807.270, \$50.

30 (22) Hardship driver permit application fee under ORS 807.240, \$50.

31 (23) Fee for reinstatement of revoked driving privileges under ORS 809.390, \$75.

32 (24) Fee for reinstatement of suspended driving privileges under ORS 809.380, \$75.

33 (25) Fee for reinstatement of right to apply for driving privileges after a delay under ORS
34 809.280 (10) (1997 Edition), the same as the fee for reinstatement of suspended driving privileges.

35 (26) Fee for a special limited vision condition learner's permit under ORS 807.359, \$13.

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

38 807.370. The following are the fees relating to the issuance and renewal of licenses, driver per-
39 mits and endorsements:

40 (1) Disability golf cart driver permit fees under ORS 807.210, as follows:

41 (a) For issuance, \$44.

42 (b) For renewal fee under ORS 807.210, \$32.

43 (2) Emergency driver permit fee under ORS 807.220, \$23.50.

44 (3) Instruction driver permit fees under ORS 807.280, as follows:

45 (a) For issuance, \$23.50.

- 1 (b) For renewal, \$23.50.
- 2 (4)(a) License issuance fee for a Class C license, \$54.
- 3 (b) Fee to take the knowledge test for a Class C license, \$5.
- 4 (c) Fee to take the skills test for a Class C license, \$9.
- 5 (5) License issuance fee for a restricted Class C license, \$54.
- 6 (6) License issuance fee for a commercial driver license, whether or not the license contains
- 7 endorsements, \$75.50.
- 8 (7) Test fees for a commercial driver license or permit:
- 9 (a) To take the knowledge test for a Class A commercial license or permit, \$10.
- 10 (b) To take the skills test for a Class A commercial license, \$70.
- 11 (c) To take the knowledge test for a Class B commercial license or permit, \$10.
- 12 (d) To take the skills test for a Class B commercial license, \$70.
- 13 (e) To take the knowledge test for a Class C commercial license or permit, \$10.
- 14 (f) To take the skills test for a Class C commercial license, \$70.
- 15 (8) Notwithstanding subsection (6) of this section, for issuance of a commercial driver license
- 16 of any class when the Department of Transportation accepts a certificate of competency issued un-
- 17 der ORS 807.080, \$40 in addition to the fee under subsection (6) of this section.
- 18 (9) Notwithstanding subsection (6) of this section, for original issuance of a school bus
- 19 endorsement to a person who has a commercial driver license with a passenger endorsement:
- 20 (a) \$21; or
- 21 (b) \$61 if the department accepts a certificate of competency issued under ORS 807.080.
- 22 (10) For a farm endorsement, \$26.
- 23 (11) Test fees for the knowledge test for endorsements other than motorcycle and farm
- 24 endorsements:
- 25 (a) For a hazardous materials endorsement, \$10.
- 26 (b) For a tank vehicle endorsement, \$10.
- 27 (c) For a passenger endorsement, \$10.
- 28 (d) For a double and triple trailer endorsement, \$10.
- 29 (e) For a school bus endorsement, \$10.
- 30 (12) Fee to take an airbrake knowledge test, \$10.
- 31 (13) Fee to take an airbrake skills test to remove an airbrake restriction, \$56.
- 32 (14) License renewal fee for a commercial driver license, \$55.50.
- 33 (15) License renewal fee for a Class C license, \$34.
- 34 (16) License or driver permit replacement fee under ORS 807.160, \$26.50.
- 35 (17) Original endorsement issuance fee under ORS 807.170 for a motorcycle endorsement, \$46,
- 36 in addition to any fees for the endorsed license.
- 37 (18) Special student driver permit fee under ORS 807.230, \$23.50.
- 38 (19) Student Driver Training Fund eligibility fee under ORS 807.040 and 807.150, \$6.
- 39 (20) Motorcycle Safety Subaccount fee as follows:
- 40 (a) Upon original issuance of motorcycle endorsements under ORS 807.170, [~~\$28~~] **\$38**.
- 41 (b) Upon renewal of a license with a motorcycle endorsement under ORS 807.170, \$28.
- 42 (21) Probationary driver permit application fee under ORS 807.270, \$50.
- 43 (22) Hardship driver permit application fee under ORS 807.240, \$50.
- 44 (23) Fee for reinstatement of revoked driving privileges under ORS 809.390, \$75.
- 45 (24) Fee for reinstatement of suspended driving privileges under ORS 809.380, \$75.

1 (25) Fee for reinstatement of right to apply for driving privileges after a delay under ORS
2 809.280 (10) (1997 Edition), the same as the fee for reinstatement of suspended driving privileges.

3 (26) Fee for a special limited vision condition learner's permit under ORS 807.359, \$13.

4 (27)(a) License issuance fee for a Class C limited term license, \$23.

5 (b) Fee to take the knowledge test for a Class C limited term license, \$5.

6 (c) Fee to take the skills test for a Class C limited term license, \$9.

7 (28) License issuance fee for a restricted Class C limited term license, \$23.

8 (29) License issuance fee for a limited term commercial driver license, whether or not the li-
9 cense contains endorsements, \$45.

10 (30) License renewal fee for a limited term commercial driver license, \$14.

11 (31) License renewal fee for a Class C limited term license, \$8.

12 (32) Limited term license or limited term driver permit replacement fee under ORS 807.160,
13 \$26.50.

14 (33) Limited term Student Driver Training Fund eligibility fee under ORS 807.040 and 807.150,
15 \$2.

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

19 (1) **On or after January 1, 2011, to persons who are under 31 years of age as of that date.**

20 (2) **On or after January 1, 2012, to persons who are under 41 years of age as of that date.**

21 (3) **On or after January 1, 2013, to persons who are under 51 years of age as of that date.**

22 (4) **On or after January 1, 2014, to persons who are under 61 years of age as of that date.**

23 (5) **On or after January 1, 2015, to all persons.**

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