

Enrolled
Senate Bill 1000

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CHAPTER

AN ACT

Relating to veterans; creating new provisions; and amending ORS 805.103, 807.110, 807.160 and 807.400.

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

SECTION 1. ORS 807.110 is amended to read:

807.110. (1) A license issued by the Department of Transportation shall contain all of the following:

- (a) The distinguishing number assigned to the person issued the license by the department.
- (b) For the purpose of identification, a brief description of the person to whom the license is issued.
- (c) The full legal name of the person to whom the license is issued, except that the department may limit the number of characters displayed on the license.
- (d) The date of birth of the person to whom the license is issued.
- (e) Except as provided for corrections officers in ORS 802.253, eligible employees in ORS 802.250 or Address Confidentiality Program participants in ORS 192.846, the residence address of the person to whom the license is issued.
- (f) Upon request of the person to whom the license is issued, the fact that the person is an anatomical donor.

(g) Upon request of the person to whom the license is issued and presentation of proof, as determined by the department, the fact that the person is a veteran, as defined in ORS 408.225.

~~[(g)]~~ **(h)** Upon order of the juvenile court, the fact that the person to whom the license is issued is an emancipated minor.

~~[(h)]~~ **(i)** Except as otherwise provided in subsection (2) of this section, a photograph described in this paragraph. A photograph required under this paragraph shall:

- (A) Be a full-faced, color photograph of the person to whom the license is issued;
- (B) Be of a size approved by the department; and
- (C) Be taken at the time of application for issuance of the license whether the application is for an original license, replacement of a license under ORS 807.160 or for renewal of a license under ORS 807.150, except that the department, by rule, may allow the applicant to use a photograph already on file with the department.

[(i)] (j) The class of license issued and any endorsements granted. If the license is a commercial driver license, the words “commercial driver license” or the letters “CDL” shall appear on the license.

[(j)] (k) The signature of the person to whom the license is issued.

(2) The department may issue a valid license without a photograph to an applicant who objects either on religious grounds or because of the applicant’s facial disfigurement.

(3) A limited term driver license issued under ORS 807.730 shall indicate:

(a) That it is a limited term driver license; and

(b) The date on which the limited term driver license expires.

(4) The department shall use security procedures, processes and materials in the preparation, manufacture and issuance of any license that prohibit as nearly as possible anyone’s ability to alter, counterfeit, duplicate or modify the license without ready detection. The security features used in the production of the licenses shall provide for:

(a) The authentication of a genuine document in a reasonable time; and

(b) The production of the license only by equipment that requires verification of the identity of the operator of the equipment before a license may be produced.

SECTION 2. ORS 807.160 is amended to read:

807.160. (1) The Department of Transportation shall establish by rule the reasons for issuing a replacement driver license or driver permit to a person who submits an application for the replacement. The reasons for replacement shall include, but are not limited to, situations when the person:

(a) Furnishes proof satisfactory to the department of the loss, destruction or mutilation of the person’s driver license or driver permit.

(b) Changes residence address from the address noted on the person’s driver license or driver permit.

(c) Is a corrections officer or an eligible employee who has requested, in accordance with ORS 802.250 or 802.253, that department records show the address of the person’s employer.

(d) Changes names from the name noted on the person’s driver license or driver permit.

(e) Is applying or is required to add or remove a restriction on the driver license or driver permit.

(f) Is applying or is required to add or remove an endorsement other than a motorcycle endorsement on the driver license or driver permit.

(g) Furnishes proof satisfactory to the department or the department determines that the department made an error when issuing a driver license or driver permit.

(h) Furnishes proof satisfactory to the department that, for a reason identified by the department by rule, the person needs a replacement driver license or driver permit that bears a different distinguishing number from the license or permit being replaced.

(i) Furnishes proof satisfactory to the department that the person is a veteran, as defined in ORS 408.225, and the person requests a replacement driver license that includes the fact that the person is a veteran.

(2) Notwithstanding subsection (1)(b) of this section, in lieu of issuing a replacement driver license or driver permit upon a change in residence address of a person, the department may note the change of residence address on the person’s license or permit in a manner determined by the department.

(3) A replacement driver license or driver permit issued under this section:

(a) Shall bear the same distinguishing number as the driver license or driver permit replaced unless the person applying for the replacement furnishes proof as described in subsection (1)(h) of this section.

(b) Does not alter or extend the driving privileges granted to the person under the old license or permit unless the replacement license or permit was issued for the purpose of changing a restriction or endorsement or for correcting an error involving driving privileges.

(4) Except for driver permits for which the department does not charge an issuance fee, the department shall charge the fee under ORS 807.370 for a replacement license or driver permit issued under this section. The replacement fee is in addition to any endorsement or test fee that may apply. The department may waive the replacement fee as provided under ORS 807.390.

(5) The driver license or driver permit replaced under this section is invalid and shall be surrendered to the department.

(6) The department may not issue a replacement driver license or driver permit under this section if:

(a) The person making application is not qualified to hold a license or permit at the time of application.

(b) The driving privileges of the person making application are suspended or revoked and have not been partially or completely reinstated.

(7) The department need not issue a replacement driver license or driver permit to a person who has not complied with the requirements and responsibilities created by citation for or conviction of a traffic offense in another jurisdiction if an agreement under ORS 802.530 authorizes the department to withhold issuance of a replacement license or permit.

SECTION 3. ORS 807.400 is amended to read:

807.400. (1) The Department of Transportation shall issue an identification card to any person who:

(a) Is domiciled in or is a resident of this state, as described in ORS 807.062;

(b) As required by ORS 807.021 and 807.730, furnishes proof of both legal presence in the United States and a Social Security number, or, if the person is not eligible for a Social Security number, proof of legal presence in the United States and proof that the person is not eligible for a Social Security number;

(c) Does not have a current, valid driver license;

(d) Furnishes evidence of the person's full legal name, age and identity as the department may require; and

(e) Submits to collection of biometric data by the department that establish the identity of the person as provided in ORS 807.024.

(2) The department shall work with other agencies and organizations to attempt to improve the issuance system for identification cards.

(3) Every original application for an identification card must be signed by the applicant. The department shall require at least one document to verify the address of an applicant for issuance of an identification card in addition to other documents the department may require of the applicant. If the address of an applicant has changed since the last time an identification card was issued to or renewed for the applicant, the department shall require proof to verify the address of the applicant for renewal of an identification card, in addition to anything else the department may require.

(4) Every identification card shall be issued upon the standard license form described under ORS 807.110 and shall bear a statement to the effect that the identification card is not a license or any other grant of driving privileges to operate a motor vehicle and is to be used for identification purposes only. The department shall use the same security procedures, processes, materials and features for an identification card as are required for a license under ORS 807.110. The identification card is not required to contain the residence address of persons listed in ORS 807.110 (1)(e).

(5) If the identification card is a limited term identification card issued under ORS 807.730, the limited term identification card shall indicate:

(a) That it is a limited term identification card; and

(b) The date on which the limited term identification card expires.

(6) Upon order of the juvenile court, the department shall include on the card the fact that the person issued the identification card is an emancipated minor.

(7) Upon request of the person to whom the identification card is issued and presentation of proof, as determined by the department, that the person is a veteran, as defined in ORS 408.225, the department shall include on the card the fact that the person is a veteran.

[(7)] (8) Each original identification card shall expire on a date consistent with the expiration dates of licenses as set forth in ORS 807.130.

[(8)] (9) Identification cards shall be renewed under the terms for renewal of licenses as set forth in ORS 807.150.

[(9)] (10) The fee for an original identification card or a renewal thereof shall be the fee established under ORS 807.410.

[(10)] (11) An identification card becomes invalid if the holder of the card changes the holder's residence address from that shown on the identification card and does not provide the department with notice of the change as required under ORS 807.420.

[(11)] (12) If a person to whom an identification card was issued and who changes the person's residence address appears in person at a department office that issues identification cards, the department may do any of the following:

(a) Issue a replacement identification card containing the new address upon receipt of the old identification card and payment of the fee established for issuing a replacement identification card with a changed address under ORS 807.410. Except as otherwise provided in subsection [(13)] (14) of this section, the replacement identification card shall bear the same distinguishing number as the card being replaced.

(b) Note the new address on the old identification card in a manner to be determined by the department by rule.

[(12)] (13) An identification card becomes invalid if the holder of the card changes the holder's name from that shown on the card, including a change of name by marriage, without providing the department with notice of the change as required under ORS 807.420. Upon receiving such notice and the old identification card, the department shall issue a replacement identification card upon payment of the fee required under ORS 807.410.

[(13)] (14) In the event that, for a reason identified by the department by rule, a person needs a replacement identification card that bears a distinguishing number different from the number on the card being replaced, the person to whom the card was issued may obtain a replacement card from the department upon furnishing proof satisfactory to the department of the need for such replacement and payment of the replacement fee under ORS 807.410.

[(15)] (15) If a person furnishes proof that the person is a veteran, as defined in ORS 408.225, and the person's identification card does not include the fact that the person is a veteran, the department shall issue a replacement identification card that includes the fact that the person is a veteran.

[(14)] (16) The department may establish by rule reasons for issuing replacement identification cards that are in addition to the reasons identified in subsections [(11) to (13)] (12) to (15) of this section. The fee for a replacement identification card is provided under ORS 807.410.

[(15)] (17) Upon cancellation of an identification card, the card is terminated and must be surrendered to the department. An identification card may be canceled for any of the reasons that driving privileges or a driver license may be canceled under ORS 809.310. The department may re-issue an identification card canceled under this subsection when the applicant has satisfied all requirements for the identification card.

[(16)] (18) Notwithstanding any other provision of this section, the department may issue an identification card to a person under this subsection without charge when the person surrenders the person's driver license or driver permit to the department for reasons described in this subsection. If the department issues an identification card under this subsection, the identification card shall expire at the same time as the surrendered driver license or driver permit would have expired. An identification card issued under this subsection is subject to the same requirements and fees for renewal or upon expiration as any other identification card issued under this section. The department may issue identification cards under this subsection for any of the following reasons:

(a) The person voluntarily surrenders the person's driver license or driver permit to the department based upon the person's recognition that the person is no longer competent to drive.

(b) The person's driving privileges are suspended under ORS 809.419 (1). This paragraph only applies if the person voluntarily surrenders the person's driver license or driver permit to the department as provided under ORS 809.500.

SECTION 4. ORS 805.103 is amended to read:

805.103. (1) The Department of Transportation shall provide for issuance of registration plates for a motor vehicle registered under ORS 803.420 (1) or (9)(a), in a manner consistent with this section, to motor vehicle owners who qualify for the plates as Congressional Medal of Honor recipients under subsection (2) this section.

(2) A person who is a Congressional Medal of Honor recipient qualifies for registration plates under this section if the person provides the department with a certificate from the United States Department of Veterans Affairs attesting to the person's status as a Congressional Medal of Honor recipient.

(3) Registration plates issued under this section shall be considered customized registration plates for purposes of the fee required in ORS 805.250. **The department may waive the fee required in ORS 805.250.**

(4) The department may not issue registration plates for a motor vehicle under this section if another motor vehicle owned by the applicant has been issued registration plates under this section.

(5) The registration plates issued under this section shall:

(a) Be issued with a unique background design determined by the department;

(b) Be issued with a specific configuration as determined by the department;

(c) Contain the words "Medal of Honor";

(d) Contain the image of the Congressional Medal of Honor; and

(e) Meet the requirements for registration plates under ORS 803.535.

(6) If there is a transfer of interest in the motor vehicle to which the registration plate under this section is assigned, or if the motor vehicle is totaled and not reconstructed, the motor vehicle owner shall remove the registration plate. The Congressional Medal of Honor recipient may retain the registration plate, but the registration plate may not be placed on any other motor vehicle unless the registration plate is transferred as set forth in subsection (7) of this section.

(7) If the motor vehicle owner qualifies for the registration plates under subsection (2) of this section, the department may transfer registration plates issued under this section to another motor vehicle registered under ORS 803.420 (1) or (9)(a), as set forth in ORS 805.242.

(8) The department shall cancel any registration plates issued under this section if the department determines that the motor vehicle is owned by a person who does not qualify for the registration plates under subsection (2) of this section or that the motor vehicle is not registered under ORS 803.420 (1) or (9)(a).

(9) The department may adopt rules necessary to carry out the provisions of this section.

SECTION 5. (1) The amendments to ORS 807.110, 807.160 and 807.400 by sections 1 to 3 of this 2010 Act apply to driver licenses and identification cards issued, renewed or replaced on or after the effective date of this 2010 Act.

(2) The amendments to ORS 805.103 by section 4 of this 2010 Act apply to motor vehicle registration plates issued, renewed or replaced on or after the effective date of this 2010 Act.

Passed by Senate February 22, 2010

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Secretary of Senate

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President of Senate

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Speaker of House

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