

Senate Bill 1000

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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**.

Directs Department of Transportation, upon request, to identify veterans on driver licenses and identification cards.

Permits department to waive customized registration plate fee for persons with Congressional Medal of Honor registration plates.

A BILL FOR AN ACT

1
2 Relating to veterans; creating new provisions; and amending ORS 805.103, 807.110, 807.160 and
3 807.400.

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

5 **SECTION 1.** ORS 807.110 is amended to read:

6 807.110. (1) A license issued by the Department of Transportation shall contain all of the fol-
7 lowing:

8 (a) The distinguishing number assigned to the person issued the license by the department.

9 (b) For the purpose of identification, a brief description of the person to whom the license is
10 issued.

11 (c) The full legal name of the person to whom the license is issued, except that the department
12 may limit the number of characters displayed on the license.

13 (d) The date of birth of the person to whom the license is issued.

14 (e) Except as provided for corrections officers in ORS 802.253, eligible employees in ORS 802.250
15 or Address Confidentiality Program participants in ORS 192.846, the residence address of the person
16 to whom the license is issued.

17 (f) Upon request of the person to whom the license is issued, the fact that the person is an an-
18 atomical donor.

19 **(g) Upon request of the person to whom the license is issued and presentation of proof,**
20 **as determined by the department, the fact that the person is a veteran, as defined in ORS**
21 **408.225.**

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

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

26 (A) Be a full-faced, color photograph of the person to whom the license is issued;

27 (B) Be of a size approved by the department; and

28 (C) Be taken at the time of application for issuance of the license whether the application is for
29 an original license, replacement of a license under ORS 807.160 or for renewal of a license under

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 ORS 807.150, except that the department, by rule, may allow the applicant to use a photograph al-
 2 ready on file with the department.

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

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

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

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

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

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

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

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

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

19 **SECTION 2.** ORS 807.160 is amended to read:

20 807.160. (1) The Department of Transportation shall establish by rule the reasons for issuing a
 21 replacement driver license or driver permit to a person who submits an application for the re-
 22 placement. The reasons for replacement shall include, but are not limited to, situations when the
 23 person:

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

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

28 (c) Is a corrections officer or an eligible employee who has requested, in accordance with ORS
 29 802.250 or 802.253, that department records show the address of the person’s employer.

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

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

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

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

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

40 (i) **Furnishes proof satisfactory to the department that the person is a veteran, as de-
 41 fined in ORS 408.225, and the person requests a replacement driver license that includes the
 42 fact that the person is a veteran.**

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

1 partment.

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

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

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

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

13 (5) The driver license or driver permit replaced under this section is invalid and shall be sur-
14 rendered to the department.

15 (6) The department may not issue a replacement driver license or driver permit under this sec-
16 tion if:

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

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

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

25 **SECTION 3.** ORS 807.400 is amended to read:

26 807.400. (1) The Department of Transportation shall issue an identification card to any person
27 who:

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

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

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

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

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

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

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

1 (4) Every identification card shall be issued upon the standard license form described under ORS
2 807.110 and shall bear a statement to the effect that the identification card is not a license or any
3 other grant of driving privileges to operate a motor vehicle and is to be used for identification
4 purposes only. The department shall use the same security procedures, processes, materials and
5 features for an identification card as are required for a license under ORS 807.110. The identification
6 card is not required to contain the residence address of persons listed in ORS 807.110 (1)(e).

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

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

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

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

13 **(7) Upon request of the person to whom the identification card is issued and presentation**
14 **of proof, as determined by the department, that the person is a veteran, as defined in ORS**
15 **408.225, the department shall include on the card the fact that the person is a veteran.**

16 [(7)] (8) Each original identification card shall expire on a date consistent with the expiration
17 dates of licenses as set forth in ORS 807.130.

18 [(8)] (9) Identification cards shall be renewed under the terms for renewal of licenses as set forth
19 in ORS 807.150.

20 [(9)] (10) The fee for an original identification card or a renewal thereof shall be the fee estab-
21 lished under ORS 807.410.

22 [(10)] (11) An identification card becomes invalid if the holder of the card changes the holder's
23 residence address from that shown on the identification card and does not provide the department
24 with notice of the change as required under ORS 807.420.

25 [(11)] (12) If a person to whom an identification card was issued and who changes the person's
26 residence address appears in person at a department office that issues identification cards, the de-
27 partment may do any of the following:

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

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

35 [(12)] (13) An identification card becomes invalid if the holder of the card changes the holder's
36 name from that shown on the card, including a change of name by marriage, without providing the
37 department with notice of the change as required under ORS 807.420. Upon receiving such notice
38 and the old identification card, the department shall issue a replacement identification card upon
39 payment of the fee required under ORS 807.410.

40 [(13)] (14) In the event that, for a reason identified by the department by rule, a person needs
41 a replacement identification card that bears a distinguishing number different from the number on
42 the card being replaced, the person to whom the card was issued may obtain a replacement card
43 from the department upon furnishing proof satisfactory to the department of the need for such re-
44 placement and payment of the replacement fee under ORS 807.410.

45 **(15) If a person furnishes proof that the person is a veteran, as defined in ORS 408.225,**

1 **and the person's identification card does not include the fact that the person is a veteran,**
 2 **the department shall issue a replacement identification card that includes the fact that the**
 3 **person is a veteran.**

4 [(14)] (16) The department may establish by rule reasons for issuing replacement identification
 5 cards that are in addition to the reasons identified in subsections [(11) to (13)] (12) to (15) of this
 6 section. The fee for a replacement identification card is provided under ORS 807.410.

7 [(15)] (17) Upon cancellation of an identification card, the card is terminated and must be sur-
 8 rendered to the department. An identification card may be canceled for any of the reasons that
 9 driving privileges or a driver license may be canceled under ORS 809.310. The department may re-
 10 issue an identification card canceled under this subsection when the applicant has satisfied all re-
 11 quirements for the identification card.

12 [(16)] (18) Notwithstanding any other provision of this section, the department may issue an
 13 identification card to a person under this subsection without charge when the person surrenders the
 14 person's driver license or driver permit to the department for reasons described in this subsection.
 15 If the department issues an identification card under this subsection, the identification card shall
 16 expire at the same time as the surrendered driver license or driver permit would have expired. An
 17 identification card issued under this subsection is subject to the same requirements and fees for
 18 renewal or upon expiration as any other identification card issued under this section. The depart-
 19 ment may issue identification cards under this subsection for any of the following reasons:

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

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

25 **SECTION 4.** ORS 805.103 is amended to read:

26 805.103. (1) The Department of Transportation shall provide for issuance of registration plates
 27 for a motor vehicle registered under ORS 803.420 (1) or (9)(a), in a manner consistent with this
 28 section, to motor vehicle owners who qualify for the plates as Congressional Medal of Honor re-
 29 cipients under subsection (2) this section.

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

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

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

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

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

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

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

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

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

45 (6) If there is a transfer of interest in the motor vehicle to which the registration plate under

1 this section is assigned, or if the motor vehicle is totaled and not reconstructed, the motor vehicle
2 owner shall remove the registration plate. The Congressional Medal of Honor recipient may retain
3 the registration plate, but the registration plate may not be placed on any other motor vehicle un-
4 less the registration plate is transferred as set forth in subsection (7) of this section.

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

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

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

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

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

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