

A-Engrossed
House Bill 2332

Ordered by the House April 25
Including House Amendments dated April 25

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Transportation)

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.

[Establishes different fines for different types of vehicles for certain traffic violations. Becomes operative January 1, 2013.]

[Requires person to provide gross vehicle weight rating in application for vehicle registration. Requires Department of Transportation to include gross vehicle weight rating on registration card and in department records.]

Authorizes use of tow vehicle to transport property for hire not allowed under current statutory privilege if tow vehicle and holder of towing business certificate meet specified criteria. Subjects such use to weight-mile tax.

A BILL FOR AN ACT

1
2 Relating to vehicles; creating new provisions; and amending ORS 803.420 and 803.435.

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

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of the Oregon Vehicle**
5 **Code.**

6 **SECTION 2. (1) In addition to the privileges described under ORS 822.210, the holder of**
7 **a current, valid towing business certificate issued under ORS 822.205 may use a tow vehicle**
8 **to transport property for hire other than as described in ORS 822.210 if:**

9 (a) **The tow vehicle is used primarily for the purposes described in ORS 822.210 in a**
10 **manner specified by the department by rule;**

11 (b) **The tow vehicle has a combined weight of 26,001 pounds or more;**

12 (c) **The holder of the towing business certificate has submitted a declaration of weight**
13 **under ORS 803.435 and has registered the tow vehicle under ORS 803.420 (10); and**

14 (d) **The holder of the towing business certificate operates in accordance with the pro-**
15 **visions of ORS chapter 825.**

16 (2) **A tow vehicle that is used to transport property for hire other than as described in**
17 **ORS 822.210 is subject to the weight-mile tax imposed under ORS 825.474.**

18 **SECTION 3. ORS 803.420 is amended to read:**

19 803.420. This section establishes registration fees for vehicles. If there is uncertainty as to the
20 classification of a vehicle for purposes of the payment of registration fees under the vehicle code,
21 the Department of Transportation may classify the vehicle to assure that registration fees for the
22 vehicle are the same as for vehicles the department determines to be comparable. The registration
23 fees for the vehicle shall be those based on the classification determined by the department. Except
24 as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described

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 in this section are for an entire registration period for the vehicle as described under ORS 803.415.
2 The department shall apportion any fee under this section to reflect the number of quarters regis-
3 tered for a vehicle registered for a quarterly registration period under ORS 803.415. The fees are
4 payable when a vehicle is registered and upon renewal of registration. Except as provided in ORS
5 801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing
6 body of a county or by the governing body of a district, as defined in ORS 801.237, under ORS
7 801.041 or 801.042 as an additional registration fee for the vehicle. The fees for registration of ve-
8 hicles are as follows:

9 (1) Vehicles not otherwise provided for in this section or ORS 821.320, \$43 for each year of the
10 registration period.

11 (2) Mopeds, \$24 for each year of the registration period.

12 (3) Motorcycles, \$24 for each year of the registration period.

13 (4) Government-owned vehicles registered under ORS 805.040, \$3.50.

14 (5) State-owned vehicles registered under ORS 805.045, \$3.50 on registration or renewal.

15 (6) Undercover vehicles registered under ORS 805.060, \$3.50 on registration or renewal.

16 (7) Antique vehicles registered under ORS 805.010, \$54.

17 (8) Vehicles of special interest registered under ORS 805.020, \$81.

18 (9) Electric vehicles and hybrid vehicles that use electricity and another source of motive power,
19 as follows:

20 (a) The registration fee for an electric or hybrid vehicle not otherwise described in this sub-
21 section is \$43 for each year of the registration period.

22 (b) The registration fee for electric or hybrid vehicles that have two or three wheels is \$43. This
23 paragraph does not apply to electric or hybrid mopeds. Electric or hybrid mopeds are subject to the
24 same registration fee as otherwise provided for mopeds under this section.

25 (c) The registration fees for the following electric or hybrid vehicles are the same as for com-
26 parable nonelectric vehicles described in this section plus 50 percent of such fee:

27 (A) Motor homes.

28 (B) Commercial buses.

29 (C) Vehicles registered as farm vehicles under ORS 805.300.

30 (D) Vehicles required to establish registration weight under ORS 803.430 or 826.013.

31 (10) Motor vehicles required to establish a registration weight under ORS 803.430 or 826.013,
32 **tow vehicles used to transport property for hire other than as described in ORS 822.210**, and
33 commercial buses, as provided in the following chart, based upon the weight submitted in the dec-
34 laration of weight prepared under ORS 803.435 or 826.015:

Weight in Pounds	Fee
8,000 or less	\$ 55
8,001 to 10,000	344
10,001 to 12,000	391
12,001 to 14,000	438
14,001 to 16,000	485
16,001 to 18,000	532
18,001 to 20,000	593
20,001 to 22,000	640

1	22,001	to	24,000	703
2	24,001	to	26,000	764
3	26,001	to	28,000	375
4	28,001	to	30,000	391
5	30,001	to	32,000	422
6	32,001	to	34,000	438
7	34,001	to	36,000	468
8	36,001	to	38,000	485
9	38,001	to	40,000	515
10	40,001	to	42,000	532
11	42,001	to	44,000	562
12	44,001	to	46,000	578
13	46,001	to	48,000	593
14	48,001	to	50,000	625
15	50,001	to	52,000	656
16	52,001	to	54,000	672
17	54,001	to	56,000	686
18	56,001	to	58,000	717
19	58,001	to	60,000	750
20	60,001	to	62,000	780
21	62,001	to	64,000	811
22	64,001	to	66,000	827
23	66,001	to	68,000	857
24	68,001	to	70,000	874
25	70,001	to	72,000	904
26	72,001	to	74,000	921
27	74,001	to	76,000	951
28	76,001	to	78,000	967
29	78,001	to	80,000	998
30	80,001	to	82,000	1,014
31	82,001	to	84,000	1,045
32	84,001	to	86,000	1,061
33	86,001	to	88,000	1,092
34	88,001	to	90,000	1,108
35	90,001	to	92,000	1,139
36	92,001	to	94,000	1,155
37	94,001	to	96,000	1,185
38	96,001	to	98,000	1,202
39	98,001	to	100,000	1,218
40	100,001	to	102,000	1,249
41	102,001	to	104,000	1,265
42	104,001	to	105,500	1,295

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45 (11)(a) Motor vehicles with a registration weight of more than 8,000 pounds that are described

1 in ORS 825.015, that are operated by a charitable organization as defined in ORS 825.017 (14), as
 2 provided in the following chart:

5	Weight in Pounds	Fee
6	8,001 to 10,000	\$ 50
7	10,001 to 12,000	60
8	12,001 to 14,000	65
9	14,001 to 16,000	75
10	16,001 to 18,000	80
11	18,001 to 20,000	90
12	20,001 to 22,000	95
13	22,001 to 24,000	105
14	24,001 to 26,000	110
15	26,001 to 28,000	120
16	28,001 to 30,000	125
17	30,001 to 32,000	135
18	32,001 to 34,000	140
19	34,001 to 36,000	150
20	36,001 to 38,000	155
21	38,001 to 40,000	165
22	40,001 to 42,000	170
23	42,001 to 44,000	180
24	44,001 to 46,000	185
25	46,001 to 48,000	190
26	48,001 to 50,000	200
27	50,001 to 52,000	210
28	52,001 to 54,000	215
29	54,001 to 56,000	220
30	56,001 to 58,000	230
31	58,001 to 60,000	240
32	60,001 to 62,000	250
33	62,001 to 64,000	260
34	64,001 to 66,000	265
35	66,001 to 68,000	275
36	68,001 to 70,000	280
37	70,001 to 72,000	290
38	72,001 to 74,000	295
39	74,001 to 76,000	305
40	76,001 to 78,000	310
41	78,001 to 80,000	320
42	80,001 to 82,000	325
43	82,001 to 84,000	335
44	84,001 to 86,000	340
45	86,001 to 88,000	350

1	88,001	to	90,000	355
2	90,001	to	92,000	365
3	92,001	to	94,000	370
4	94,001	to	96,000	380
5	96,001	to	98,000	385
6	98,001	to	100,000	390
7	100,001	to	102,000	400
8	102,001	to	104,000	405
9	104,001	to	105,500	415

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12 (b) Motor vehicles with a registration weight of more than 8,000 pounds that are certified under
 13 ORS 822.205, **unless the motor vehicle is registered under subsection (10) of this section** or
 14 that are used exclusively to transport manufactured structures, as provided in the following chart:

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17	Weight in Pounds			Fee
18	8,001	to	10,000	\$ 102
19	10,001	to	12,000	122
20	12,001	to	14,000	132
21	14,001	to	16,000	153
22	16,001	to	18,000	163
23	18,001	to	20,000	183
24	20,001	to	22,000	193
25	22,001	to	24,000	214
26	24,001	to	26,000	224
27	26,001	to	28,000	244
28	28,001	to	30,000	255
29	30,001	to	32,000	275
30	32,001	to	34,000	285
31	34,001	to	36,000	306
32	36,001	to	38,000	316
33	38,001	to	40,000	336
34	40,001	to	42,000	346
35	42,001	to	44,000	367
36	44,001	to	46,000	377
37	46,001	to	48,000	387
38	48,001	to	50,000	407
39	50,001	to	52,000	428
40	52,001	to	54,000	438
41	54,001	to	56,000	448
42	56,001	to	58,000	468
43	58,001	to	60,000	489
44	60,001	to	62,000	509
45	62,001	to	64,000	530

1	64,001	to	66,000	540
2	66,001	to	68,000	560
3	68,001	to	70,000	570
4	70,001	to	72,000	591
5	72,001	to	74,000	601
6	74,001	to	76,000	621
7	76,001	to	78,000	631
8	78,001	to	80,000	652
9	80,001	to	82,000	662
10	82,001	to	84,000	682
11	84,001	to	86,000	692
12	86,001	to	88,000	713
13	88,001	to	90,000	723
14	90,001	to	92,000	743
15	92,001	to	94,000	754
16	94,001	to	96,000	774
17	96,001	to	98,000	784
18	98,001	to	100,000	794
19	100,001	to	102,000	815
20	102,001	to	104,000	825
21	104,001	to	105,500	845

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24 (c) The owner of a vehicle described in paragraphs (a) and (b) of this subsection must certify
 25 at the time of initial registration, in a manner determined by the department by rule, that the motor
 26 vehicle will be used exclusively to transport manufactured structures or exclusively as described in
 27 ORS 822.210, **unless the motor vehicle is registered under subsection (10) of this section, or**
 28 **as described in ORS 825.015 or 825.017 (14).** Registration of a vehicle described in paragraphs (a)
 29 and (b) of this subsection is invalid if the vehicle is operated in any manner other than that de-
 30 scribed in the certification under this paragraph.

31 (12) Trailers registered under permanent registration, \$10.

32 (13) Fixed load vehicles as follows:

33 (a) If a declaration of weight described under ORS 803.435 is submitted establishing the weight
 34 of the vehicle at 3,000 pounds or less, \$54.

35 (b) If no declaration of weight is submitted or if the weight of the vehicle is in excess of 3,000
 36 pounds, \$75.

37 (14) Trailers for hire that are equipped with pneumatic tires made of an elastic material and that
 38 are not travel trailers or trailers registered under permanent registration, \$27.

39 (15) Trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500,
 40 the same as the fee for vehicles of the same type registered under other provisions of the Oregon
 41 Vehicle Code.

42 (16) Travel trailers, campers and motor homes as follows, based on length as determined under
 43 ORS 803.425:

44 (a) For travel trailers or campers that are 6 to 10 feet in length, \$81.

45 (b) For travel trailers or campers over 10 feet in length, \$81 plus \$6.75 a foot for each foot of

1 length over the first 10 feet.

2 (c) For motor homes that are 6 to 14 feet in length, \$54.

3 (d) For motor homes over 14 feet in length, \$126 plus \$7.50 a foot for each foot of length over
4 the first 10 feet.

5 (17) Special use trailers as follows, based on length as determined under ORS 803.425:

6 (a) For lengths 6 to 10 feet, \$54.

7 (b) For special use trailers over 10 feet in length, \$54 plus \$3 a foot for each foot of length over
8 the first 10 feet.

9 (18) Fees for vehicles with proportional registration under ORS 826.009, or proportioned fleet
10 registration under ORS 826.011, are as provided for vehicles of the same type under this section
11 except that the fees shall be fixed on an apportioned basis as provided under the agreement estab-
12 lished under ORS 826.007.

13 (19) For any vehicle that is registered under a quarterly registration period, a minimum of \$15
14 for each quarter registered plus an additional fee of \$1.

15 (20) In addition to any other fees charged for registration of vehicles in fleets under ORS
16 805.120, the department may charge the following fees:

17 (a) A \$2 service charge for each vehicle entered into a fleet.

18 (b) A \$1 service charge for each vehicle in the fleet at the time of renewal.

19 (21) The registration fee for vehicles with special registration for disabled veterans under ORS
20 805.100 is a fee of \$15.

21 (22) Subject to subsection (19) of this section, the registration fee for motor vehicles registered
22 as farm vehicles under ORS 805.300 is as follows based upon the registration weight given in the
23 declaration of weight submitted under ORS 803.435:
24

Weight in Pounds	Fee
8,000 or less	\$ 35
8,001 to 10,000	46
10,001 to 12,000	53
12,001 to 14,000	68
14,001 to 16,000	76
16,001 to 18,000	91
18,001 to 20,000	99
20,001 to 22,000	114
22,001 to 24,000	121
24,001 to 26,000	137
26,001 to 28,000	144
28,001 to 30,000	159
30,001 to 32,000	167
32,001 to 34,000	182
34,001 to 36,000	190
36,001 to 38,000	205
38,001 to 40,000	213
40,001 to 42,000	228
42,001 to 44,000	235

1	44,001	to	46,000	251
2	46,001	to	48,000	258
3	48,001	to	50,000	273
4	50,001	to	52,000	281
5	52,001	to	54,000	288
6	54,001	to	56,000	304
7	56,001	to	58,000	319
8	58,001	to	60,000	326
9	60,001	to	62,000	334
10	62,001	to	64,000	349
11	64,001	to	66,000	364
12	66,001	to	68,000	372
13	68,001	to	70,000	380
14	70,001	to	72,000	395
15	72,001	to	74,000	402
16	74,001	to	76,000	418
17	76,001	to	78,000	425
18	78,001	to	80,000	440
19	80,001	to	82,000	448
20	82,001	to	84,000	463
21	84,001	to	86,000	471
22	86,001	to	88,000	486
23	88,001	to	90,000	493
24	90,001	to	92,000	509
25	92,001	to	94,000	516
26	94,001	to	96,000	531
27	96,001	to	98,000	539
28	98,001	to	100,000	554
29	100,001	to	102,000	562
30	102,001	to	104,000	577
31	104,001	to	105,500	585

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34 (23) The registration fee for school vehicles registered under ORS 805.050 is \$7.50.

35 (24) The registration fee for a low-speed vehicle is \$43, for each year of the registration period.

36 (25) A rental or leasing company, as defined in ORS 221.275, that elects to initially register a
 37 vehicle for an annual or biennial registration period shall pay a fee of \$1 in addition to the vehicle
 38 registration fee provided under this section.

39 (26) Racing activity vehicles registered under ORS 805.035, \$81.

40 (27) Medium-speed electric vehicles, \$43 for each year of the registration period.

41 **SECTION 4.** ORS 803.435 is amended to read:

42 803.435. A declaration of weight required for purposes of complying with ORS 803.440 and for
 43 purposes of determining vehicle registration fees under ORS 803.420 shall contain the following:

44 (1) For vehicles required to establish a registration weight under ORS 803.430, the declaration
 45 shall contain the registration weight.

1 (2) For buses, the declaration shall contain the unloaded weight of the vehicle plus the unloaded
2 weight of any bus trailer to be used in combination with the vehicle. The declaration shall also in-
3 dicate the number of persons, including the driver, to be carried in the vehicle, plus the number of
4 persons to be carried on any bus trailer to be used in combination with the vehicle. For purposes
5 of determining the fee for registration of the vehicle under ORS 803.420, the Department of Trans-
6 portation shall determine the weight of the vehicle by adding the unloaded weight of the vehicle,
7 plus the unloaded weight of any bus trailer to be used in combination with the vehicle, to a weight
8 determined by multiplying the maximum seating capacity of the vehicle plus the maximum seating
9 capacity of any bus trailer to be used in combination with the vehicle, including the driver's seat
10 but excluding emergency seats, times 170 pounds, if the vehicle has a separate compartment for
11 transporting baggage or express, or 150 pounds, if the vehicle has no separate compartment for
12 transporting baggage or express. If the vehicle has a seating capacity that is not arranged for sep-
13 arate or individual seating, 18 lineal inches shall be deemed the equivalent of a passenger seat.

14 (3) For fixed load vehicles, the declaration shall contain the weight of the vehicle including the
15 cab, chassis, frame and all appurtenances necessary for making the vehicle self-propelled including
16 front bumpers, fenders, windshield, tire carrier and spare wheel, and including the fixed or perma-
17 nent load of the vehicle but excluding the spare tire.

18 **(4) For tow vehicles that are used to transport property for hire other than as described**
19 **in ORS 822.210, the declaration shall contain the combined weight at which the vehicle will**
20 **be used to transport property for hire.**

21 [(4)] (5) For all vehicles not otherwise provided for by this section and for which a declaration
22 is prepared or required, the declaration shall contain the registration weight of the vehicle.

23