

Senate Bill 1545

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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**.

Specifies that exclusion from definition of "employment" for transportation performed by person leasing equipment to for-hire carrier applies regardless of whether person leasing equipment purchases, leases, rents or finances equipment, from any person, without restriction.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to exclusion from definition of employment for certain transportation services provided to
3 for-hire carriers; creating new provisions; amending ORS 657.047; and prescribing an effective
4 date.

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

6 **SECTION 1.** ORS 657.047 is amended to read:

7 657.047. (1) As used in this chapter, "employment" does not include:

8 (a) Transportation by motor vehicle of logs, poles and piling by [*any*] **a** person who both fur-
9 nishes and maintains the **motor** vehicle used in [*such*] **the** transportation; or

10 (b) Transportation performed by motor vehicle for a for-hire carrier by [*any*] **a** person that leases
11 [*their*] **the person's** equipment to a for-hire carrier, [*and that*] personally operates, furnishes and
12 maintains the equipment and provides service [*thereto*] **to the for-hire carrier**.

13 (2)(a) For [*the*] purposes of this chapter, services performed in the operation of a motor vehicle
14 [*specified*], **as described** in subsection (1) of this section [*shall be*], **are** deemed to be performed for
15 the person furnishing and maintaining the motor vehicle.

16 **(b) Subsection (1)(b) of this section applies regardless of whether a person leasing equip-**
17 **ment to a for-hire carrier purchases, leases, rents or finances the equipment, from any**
18 **person, without restriction.**

19 (3) As used in this section "for-hire carrier" has the meaning given that term in ORS 825.005.

20 (4) The provisions of subsections (1) and (2) of this section do not apply to services performed
21 for:

22 (a) A nonprofit employing unit;

23 (b) This state;

24 (c) A political subdivision of this state; or

25 (d) An Indian tribe.

26 **SECTION 2. The amendments to ORS 657.047 by section 1 of this 2012 Act apply to ser-**
27 **vices performed on or after the effective date of this 2012 Act.**

28 **SECTION 3. This 2012 Act takes effect on the 91st day after the date on which the 2012**
29 **regular session of the Seventy-sixth Legislative Assembly adjourns sine die.**

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.

