

HB 4165-10
(LC 159)
2/10/12 (HE/ps)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4165**

1 On page 54 of the printed bill, delete lines 10 through 45.

2 On page 55, delete lines 1 through 40 and insert:

3 **“SECTION 83.** ORS 805.205 is amended to read:

4 “805.205. (1) The Department of Transportation shall provide for issuance
5 of registration plates described in subsections (3), (7) and (8) of this section
6 for nonprofit groups meeting the qualifications for tax exempt status under
7 section 501(c)(3) of the Internal Revenue Code and for institutions of higher
8 education. Plates issued under this section may be issued to owners of motor
9 vehicles registered under the provisions of ORS 803.420 (1). Plates issued
10 under this section may not contain expressions of political opinion or reli-
11 gious belief. Rules adopted under this section shall include, but need not be
12 limited to, rules that:

13 “(a) Describe general qualifications to be met by any group in order to
14 be eligible for plates issued under this section.

15 “(b) Specify circumstances under which the department may cease to issue
16 plates for any particular group.

17 “(c) Require each group for which plates are issued to file an annual
18 statement on a form designed by the department showing that the group is
19 a nonprofit group or is an institution of higher education and that the group
20 or institution otherwise meets the qualifications imposed for eligibility for
21 plates issued under this section. The statement shall include names and ad-
22 dresses of current directors or officers of the group or institution or of other

1 persons authorized to speak for the group or institution on matters affecting
2 plates issued under this section.

3 “(2)(a) Except as otherwise provided in paragraphs (b) and (c) of this
4 subsection, in addition to any other fee authorized by law, upon issuance of
5 a plate under this section and upon renewal of registration for a vehicle that
6 has plates issued under this section, the department shall collect a surcharge
7 for each year of the registration period. The surcharge shall be determined
8 by the department by rule and may not be less than \$2.50 per plate or more
9 than \$16 per plate. In setting the amount of the surcharge, the department
10 shall consult with the nonprofit group for which the plates are issued.

11 “(b) In addition to any other fee authorized by law, upon issuance of a
12 plate under this section that recognizes an institution of higher education
13 in this state, and upon renewal of registration for a vehicle that has such
14 plates, the department shall collect a surcharge of \$8 per plate for each year
15 of the registration period.

16 “(c) In addition to any other fee authorized by law, upon issuance of a
17 Share the Road registration plate, as described in subsection (7) of this sec-
18 tion, the department shall collect a surcharge of \$5 per year of registration.

19 “(3) Plates issued under this section shall be from the current regular
20 issue of plates except that:

21 “(a) If the group requesting the plates is an institution of higher educa-
22 tion, the plates shall, upon request, contain words that indicate the plates
23 are issued to recognize the institution or shall contain the institution’s logo
24 or an image of the institution’s mascot; or

25 “(b) If the group requesting the plates is a group that recognizes fallen
26 public safety officers, the plates shall, upon request, contain a decal that
27 indicates the plates are issued to recognize fallen public safety officers.

28 “(4) Except as otherwise required by the design chosen, the plates shall
29 comply with the requirements of ORS 803.535. The department shall deter-
30 mine how many sets of plates shall be manufactured for each group approved

1 under this section. If the department does not sell or issue renewal for 500
2 sets of plates for a particular group in any one year, the department shall
3 cease production of those plates.

4 “(5) Except as otherwise provided in subsection (6) of this section, each
5 group that is found by the department to be eligible for plates issued under
6 this section may designate an account into which the net proceeds of the
7 surcharge collected by the department under subsection (2) of this section
8 are to be deposited. The department shall keep accurate records of the
9 number of plates issued for each group that qualifies. After payment of ad-
10 ministrative expenses of the department, moneys collected under this section
11 for each group shall be deposited by the department into an account specified
12 by that group. If any group does not specify an account for the moneys col-
13 lected from the sale of plates issued under this section, the department shall
14 deposit moneys collected for those plates into the Passenger Rail Transpor-
15 tation Account established under ORS 802.100 to be used as other moneys in
16 the account are used. Deposits under this subsection shall be made at least
17 quarterly.

18 “(6)(a) Each institution of higher education that requests a plate under
19 this section shall designate an account in the general fund of the institution,
20 and the proceeds in the account shall be used for the purpose of academic
21 enrichment at the institution.

22 “(b) Net proceeds of the surcharge collected by the department for Share
23 the Road registration plates shall be deposited into two accounts designated
24 by the Bicycle Transportation Alliance and Cycle Oregon. The department
25 shall evenly distribute the net proceeds to each account. Deposits under this
26 paragraph shall be made at least quarterly. At any time that the department
27 determines that the accounts designated by the Bicycle Transportation Alli-
28 ance and Cycle Oregon cease to exist, the department may deposit the pro-
29 ceeds into the Passenger Rail Transportation Account established under ORS
30 802.100.

1 “(c) Net proceeds of the surcharge collected by the department for Keep
2 Kids Safe registration plates shall be deposited into an account designated
3 by the Children’s Trust Fund of Oregon Foundation to fund strategies and
4 approaches shown to prevent or reduce child abuse. Deposits made under this
5 paragraph shall be made at least quarterly. At any time that the department
6 determines that the account designated by the Children’s Trust Fund of
7 Oregon Foundation ceases to exist, the department may deposit the proceeds
8 into the Passenger Rail Transportation Account established under ORS
9 802.100 to be used as other moneys in the account are used.

10 “(7) Notwithstanding subsection (3) of this section, the department shall
11 design a Share the Road registration plate in consultation with the Bicycle
12 Transportation Alliance and Cycle Oregon.

13 “(8) Notwithstanding subsection (3) of this section, the department shall
14 design a Keep Kids Safe registration plate in consultation with the [*State*
15 *Commission on Children and Families*] **Children’s Trust Fund of Oregon**
16 **Foundation and the regional entity that provides services to children**
17 **and families in Deschutes County.”.**

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