

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

House Committee on Transportation & Economic Development

REVENUE: No revenue impact

FISCAL: No fiscal impact

SUBSEQUENT REFERRAL TO: No subsequent referral

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Troy Rayburn, Administrator

Meeting Dates: 4/29

WHAT THE MEASURE DOES: Permits non-attorneys to represent individuals at proceedings before Department of Transportation when proceedings involve registration of commercial vehicles.

ISSUES DISCUSSED:

Issues discussed in the Senate Committee on Business and Transportation:

- Brings consistency to proceedings related to commercial vehicles

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Senate Bill 534 passed out of the Senate Committee on Business and Transportation 5-0-1 and passed on the Senate floor 30-0-0.

The Motor Carrier Transportation Division of the Oregon Department of Transportation (ODOT) is charged with promoting a safe and efficient commercial transportation industry by simplifying and enforcing compliance with motor carrier statutes and preserving transportation infrastructure.

ORS 823.035 allows non-attorneys to represent an individual, with the individual's consent, before proceedings related to regulation of commercial motor vehicles under ORS 825. The Motor Carrier Division also handles contested cases related to ORS 826, which governs the registration of commercial motor vehicles. These cases, however, require the entity in question to obtain the services of an attorney, even in cases involving only small monetary penalties, while cases involving large penalties conducted under ORS 825 are allowed to go forward without attorney representation. The trucking industry has indicated that this requirement can have a detrimental financial impact on some small corporate motor carriers.

Senate Bill 534 extends the allowance for representation by non-attorneys to proceedings related to ORS 826, which governs the registration of commercial motor vehicles.