

House Bill 2067

Sponsored by Representative CAMERON (at the request of Oregon Auto Dealers) (Pre-session filed.)

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**.

Expands list of documents that vehicle dealer may prepare and submit relating to sale or lease of vehicle. Allows vehicle dealer to charge fee for document preparation if done on behalf of buyer.

Modifies limit that Department of Transportation may impose on fees charged by vehicle dealer for document preparation. Provides that limit may not be less than \$125 if vehicle dealer uses integrator, or \$75 if vehicle dealer does not use integrator.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to vehicle dealers; creating new provisions; amending ORS 822.043; and declaring an
3 emergency.

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

5 **SECTION 1.** ORS 822.043 is amended to read:

6 822.043. (1) As used in this section:

7 (a) "Integrator" has the meaning given that term in ORS 802.600.

8 (b) "Vehicle dealer" means a person issued a vehicle dealer certificate under ORS 822.020.

9 (2) A vehicle dealer may elect to prepare, submit, or prepare and submit documents **on behalf**
10 **of the Department of Transportation or on behalf of the buyer** necessary to:

11 (a) Issue or transfer a certificate of title for a vehicle;

12 (b) Register a vehicle or transfer registration of a vehicle; *[or]*

13 (c) Issue a registration plate[.];

14 **(d) Perfect, release or satisfy any lien or security interest;**

15 **(e) Verify title insurance and transfer policies; or**

16 **(f) Process any other documents necessary to allow the purchase or lease of a vehicle.**

17 (3) A vehicle dealer who prepares any documents described in subsection (2) of this section:

18 (a) May charge a purchaser **or lessee** of a vehicle a fee for the preparation of those documents.

19 (b) May not charge a purchaser **or lessee** of a vehicle a fee for the submission of any document
20 or the issuance of a registration plate.

21 (4) The Department of Transportation may adopt rules to:

22 (a) Limit the amount of a fee charged under subsection (3) of this section. The limit established
23 by rule may not be less than:

24 (A) **[\$75] \$125**, if the vehicle dealer uses an integrator; or

25 (B) **[\$50] \$75**, if the vehicle dealer does not use an integrator.

26 (b) Determine when a vehicle dealer is required to inform the purchaser of the vehicle of the
27 option of using an integrator and when the purchaser has the option of electing to use an integrator.

28 (5) Unless otherwise provided by rule, if a vehicle dealer uses an integrator and charges a fee
29 greater than that charged for not using an integrator, the dealer must inform the purchaser of the

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 vehicle of the option of using an integrator to prepare the documents. The purchaser may then elect
2 whether or not to have the vehicle dealer use an integrator to prepare the documents.

3 **SECTION 2. The amendments to ORS 822.043 by section 1 of this 2013 Act apply only to**
4 **vehicles purchased or leased on or after January 1, 2014.**

5 **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
7 **on its passage.**

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