

House Bill 2121

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

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**.

Authorizes court to issue notice to Department of Transportation if defendant is convicted of driving under influence of intoxicants and fails to comply with court-ordered treatment.

A BILL FOR AN ACT

1
2 Relating to proof of treatment for substance abuse; creating new provisions; and amending ORS
3 809.210.

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

5 **SECTION 1.** ORS 809.210 is amended to read:

6 809.210. (1) **Except as provided in subsection (2) of this section**, a court may do any of the
7 following if the defendant is convicted of any traffic offense and fails or refuses to pay a fine im-
8 posed by the judge or to comply with any condition upon which payment of the fine or any part of
9 it was suspended:

10 (a) Issue notice to the Department of Transportation to implement procedures under ORS
11 809.416.

12 (b) Order a defendant's driving privileges restricted.

13 **(2) A court may issue notice to the department to implement procedures under ORS**
14 **809.416 if the defendant is convicted of driving under the influence of intoxicants and fails**
15 **to comply with the treatment ordered under ORS 813.021.**

16 [(2)] (3) The authority granted in this section is in addition to or instead of any other method
17 authorized by law for enforcing a court order.

18 [(3)] (4) If a court places restrictions on driving privileges under this section:

19 (a) The judge shall immediately advise the department of the restrictions.

20 (b) Upon removal of such restriction, the court shall notify the department that the restriction
21 is ended.

22 (c) The restriction shall remain in effect until ended by the court.

23 (d) The department shall take action as provided under ORS 807.120 on restrictions imposed
24 under this section.

25 (e) The restrictions may include any restriction, condition or requirement.

26 (f) Violation of the restriction is punishable as provided under ORS 807.010.

27 [(4)] (5) If a judge issues notice to implement procedures under ORS 809.416 as provided under
28 this section:

29 (a) The judge shall immediately send to the department notice upon payment of the fine as or-
30 dered.

31 (b) The department shall take action on the suspension as provided under ORS 809.416.

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 [(5)] **(6)** A court [*shall*] **may** not issue notice under this section to implement procedures under
2 ORS 809.416 for failure to pay a fine relating to any parking offense, pedestrian offense or bicycling
3 offense.

4 **SECTION 2. The amendments to ORS 809.210 by section 1 of this 2013 Act apply to con-**
5 **victions occurring before, on or after the effective date of this 2013 Act.**

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