

# House Bill 2261

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Department of Transportation)

## 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 provisional driver license restrictions do not apply to persons 18 years of age or older.

## A BILL FOR AN ACT

1  
2 Relating to provisional driver licenses; creating new provisions; and amending ORS 807.122.

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

4 **SECTION 1.** ORS 807.122 is amended to read:

5 807.122. (1) The Department of Transportation shall place the following restrictions on a provi-  
6 sional driver license issued under ORS 807.065:

7 (a) Except as provided in subsections [*(2) and (3)*] **(2) to (4)** of this section, for the first six  
8 months after issuance of the license, the holder of the license may not operate a motor vehicle that  
9 is carrying a passenger under 20 years of age who is not a member of the holder's immediate family.  
10 For the second six months, the holder of the license may not operate a motor vehicle that is car-  
11 rying more than three passengers who are under 20 years of age and who are not members of the  
12 holder's immediate family.

13 (b) For the first year after issuance of the license, the holder of the license may not operate a  
14 motor vehicle between the hours of 12 midnight and 5 a.m. except when:

15 (A) The holder is driving between the holder's home and place of employment;

16 (B) The holder is driving between the holder's home and a school event for which no other  
17 transportation is available;

18 (C) The holder is driving for employment purposes; or

19 (D) The holder is accompanied by a licensed driver who is at least 25 years of age.

20 (2) Subsection (1)(a) of this section does not apply to the holder of a provisional driver license  
21 who:

22 (a) Is employed by a farmer, rancher or orchardist;

23 (b) Is operating, solely for employment purposes, a motor vehicle that is owned by the employer  
24 and for which financial responsibility requirements of ORS 806.060 have been met;

25 (c) Is transporting passengers who are employed by the same employer as the driver and who  
26 are being transported solely for employment purposes;

27 (d) Is not transporting more passengers than the number of available seat belts; and

28 (e) Has in the vehicle a written statement signed by the employer certifying that the driver is  
29 employed by the employer and that there is no other option for transporting the employees.

30 (3) Subsection (1)(a) of this section does not apply to the holder of a provisional driver license  
31 who is 16 or 17 years of age and who is operating a motor vehicle with:

**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 (a) An instructor in the vehicle as part of a certified traffic safety education course; or  
2 (b) A person in the vehicle who has valid driving privileges and who is the parent or stepparent  
3 of the holder of the license.

4 **(4) Subsection (1) of this section does not apply to the holder of a provisional driver li-**  
5 **cence who is 18 years of age or older.**

6 **SECTION 2. The amendments to ORS 807.122 by section 1 of this 2013 Act apply to pro-**  
7 **visional driver licenses issued before, on or after the effective date of this 2013 Act.**

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