

(Including Amendments to Resolve Conflicts)

B-Engrossed House Bill 3047

Ordered by the Senate May 30
Including House Amendments dated April 15 and Senate Amendments
dated May 30

Sponsored by Representatives OLSON, BARKER, Senator PROZANSKI; Representatives KRIEGER, SPRENGER,
WILLIAMSON

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.

Extends length of suspension of driving privileges if person fails to pay fine or obey order of court from 10 years to 20 years.

Permits court to reinstate driving privileges if certain conditions are met.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to suspension of driving privileges; creating new provisions; amending ORS 809.210, 809.220,
3 809.280, 809.415 and 809.416; repealing sections 1, 2, 3, 4 and 5, chapter ____, Oregon Laws 2013
4 (Enrolled House Bill 2986); and declaring an emergency.

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

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

7 809.210. (1) A court may do any of the following if the defendant is convicted of any traffic of-
8 fense and fails or refuses to pay a fine imposed by the [*judge*] **court** or to comply with any condition
9 upon which payment of the fine or any part of it was suspended:

10 (a) Issue **a notice of suspension** to the Department of Transportation **that directs the de-**
11 **partment** to implement procedures under ORS 809.416.

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

13 (2) The authority granted in this section is in addition to or instead of any other method au-
14 thorized by law for enforcing a court order.

15 (3) If a court places restrictions on driving privileges under this section:

16 (a) The [*judge*] **court** shall immediately advise the department of the restrictions.

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

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

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

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

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

24 (4) If [*a judge*] **the court** issues **a notice of suspension that directs the department** to im-
25 plement procedures under ORS 809.416 as provided under this section:

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) The judge shall immediately send to the department notice upon payment of the fine as*
2 *ordered.]*

3 **(a) And if, at any time within the period of suspension under this section, a person pays**
4 **the fine, has begun making payments according to the payment schedule established by the**
5 **court or has obeyed the order of the court, the court shall immediately send to the depart-**
6 **ment a notice of reinstatement. The notice of suspension may be reissued if the person**
7 **ceases making payments before the fine is paid in full. The reissuance does not extend the**
8 **original period of suspension.**

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

10 (5) A court *[shall]* **may** not issue a notice of suspension under this section **that directs the**
11 **department** to implement procedures under ORS 809.416 for failure to pay a fine relating to any
12 parking offense, pedestrian offense or bicycling offense.

13 **(6) A notification by a court to the department under this section shall be in a form**
14 **prescribed by the department.**

15 **SECTION 2.** ORS 809.220 is amended to read:

16 809.220. This section establishes procedures that are applicable if a person fails to appear on a
17 citation for a traffic offense or **fails to appear on a citation** for a violation of ORS 471.430. All of
18 the following apply to this section:

19 (1) If a defendant fails to make any appearance required by the court or by law in a proceeding
20 charging the defendant with a traffic offense or with a violation of ORS 471.430, the court:

21 (a) Shall issue notice to the Department of Transportation to suspend for failure to appear if the
22 defendant is charged with a traffic crime or with a violation of ORS 471.430. If a court issues notice
23 under this paragraph, the department shall suspend the driving privileges of the person as provided
24 under ORS 809.280.

25 (b) Shall issue notice to the department to implement procedures under ORS 809.416 if the de-
26 fendant is charged with a traffic violation. If a court issues notice under this paragraph, the de-
27 partment shall implement procedures under ORS 809.416.

28 (2) In any notice to the department under this section, a court shall certify that the defendant
29 failed to appear in the proceedings in the manner required by the court or by law.

30 (3) At any time within 10 years from the date *[of a notice to suspend for failure to appear given*
31 *to the department under this section]* **the traffic offense or violation of ORS 471.430 occurred,** a
32 court shall give a second notice to the department to reinstate the person's suspended driving
33 privileges resulting from the original notice if any of the following occur:

34 (a) The fine for the offense is paid **or the defendant has begun making payments.**

35 (b) The court finds the defendant not guilty or orders a dismissal of the case.

36 (c) The court determines that the person's suspended driving privileges should be reinstated for
37 good cause.

38 **(4) The court may reissue a notice of suspension if the person ceases making payments**
39 **before the fine is paid in full. The reissuance does not extend the original period of suspen-**
40 **sion.**

41 *[(4)]* (5) Notifications by a court to the department under this section shall be in a form pre-
42 scribed by the department.

43 *[(5)]* (6) A court *[shall]* **may** not notify the department under this section for failure to appear
44 on any parking, pedestrian or bicyclist offense.

45 **SECTION 3.** ORS 809.416 is amended to read:

1 809.416. This section establishes circumstances that will make a person subject to suspension
2 under ORS 809.415 (4) and what a person is required to do to make the person no longer subject to
3 suspension. The following apply as described:

4 (1) A person is subject to suspension under ORS 809.415 (4) if the Department of Transportation
5 receives notice from a court to apply this section under ORS 809.220. A person who is subject under
6 this subsection remains subject until the person presents the department with notice issued by the
7 court showing that the person is no longer subject to this section or until 10 years have elapsed
8 **from the date the traffic offense or violation of ORS 471.430 occurred**, whichever is earlier.
9 This subsection shall not subject a person to ORS 809.415 (4) for any pedestrian offense, bicycling
10 offense or parking offense. Upon receipt of notice from a court, the department shall send a letter
11 by first class mail advising the person that the suspension will commence 60 days from the date of
12 the letter unless the person presents the department with the notice required by this subsection.

13 (2) A person is subject to suspension under ORS 809.415 (4) if the department receives a notice
14 **of suspension** from a court under ORS 809.210 **indicating** that a person has failed **or refused** to
15 pay a fine or obey an order of the court. A person who is subject under this subsection remains
16 subject until the person presents the department with a notice **of reinstatement** issued by the court
17 showing that the person **is making payments**, has paid the fine or **has** obeyed the order of the
18 court, or until [10] **20** years have elapsed **from the date the traffic offense occurred**, whichever
19 is earlier. This subsection *[shall]* **does** not subject a person to ORS 809.415 (4) for failure **or refusal**
20 to pay a fine relating to any pedestrian offense, bicycling offense or parking offense. Upon receipt
21 of a notice **of suspension** from a court, the department shall send a letter by first class mail ad-
22 vising the person that the suspension will commence 60 days from the date of the letter unless the
23 person presents the department with the notice **of reinstatement** required by this subsection.

24 (3) A person is subject to suspension under ORS 809.415 (4) if the person pays the department
25 any fee or tax with a bank check and the check is returned to the department as uncollectible or
26 the person tenders payment with a credit or debit card and the issuer of the card does not pay the
27 department. A person who is subject under this subsection remains subject until the department
28 receives the money for the fee or tax and any fee charged by the department under ORS 802.170 or
29 until five years have elapsed, whichever is earlier.

30 **SECTION 4.** ORS 809.415 is amended to read:

31 809.415. (1)(a) The Department of Transportation shall suspend the driving privileges of a person
32 who has a judgment of the type described under ORS 806.040 rendered against the person if the
33 person does not settle the judgment in the manner described under ORS 809.470 within 60 days after
34 its entry.

35 (b) A suspension under this subsection shall continue until the person does one of the following:

36 (A) Settles the judgment in the manner described in ORS 809.470.

37 (B) Has an insurer that has been found by the department to be obligated to pay the judgment,
38 provided that there has been no final adjudication by a court that the insurer has no such obli-
39 gation.

40 (C) Gives evidence to the department that a period of seven years has elapsed since the entry
41 of the judgment.

42 (D) Receives from the court that rendered the judgment an order permitting the payment of the
43 judgment in installments.

44 (c) A person is entitled to administrative review under ORS 809.440 of a suspension under this
45 subsection.

1 (2)(a) The department shall suspend the driving privileges of a person who falsely certifies the
2 existence of a motor vehicle liability insurance policy or the existence of some other means of sat-
3 isfying financial responsibility requirements or of a person who, after certifying the existence of a
4 motor vehicle liability insurance policy or other means of satisfying the requirements, allows the
5 policy to lapse or be canceled or otherwise fails to remain in compliance with financial responsi-
6 bility requirements.

7 (b) Notwithstanding paragraph (a) of this subsection, the department may suspend under this
8 subsection only if proof of compliance with financial responsibility requirements as of the date of
9 the letter of verification from the department under ORS 806.150 is not submitted within 30 days
10 after the date of the mailing of the department's demand under ORS 806.160.

11 (c) A suspension under this subsection shall continue until the person complies with future re-
12 sponsibility filings.

13 (3)(a) The department shall suspend the driving privileges of a person who fails to comply with
14 future responsibility filings whenever required under the vehicle code or fails to provide new proof
15 for future responsibility filings when requested by the department.

16 (b) A suspension under this subsection shall continue until the person complies with future re-
17 sponsibility filings.

18 (c) A person whose initial obligation to make future responsibility filings is not based upon a
19 conviction or other action by a court is entitled to a hearing under ORS 809.440 prior to a suspen-
20 sion under this subsection. A person whose obligation to make future responsibility filings is based
21 upon a conviction or other action by a court is entitled to administrative review under ORS 809.440
22 of a suspension under this subsection. A person whose suspension under this subsection is based on
23 lapses in filing after the initial filing has been made is entitled to administrative review under ORS
24 809.440.

25 (4)(a) The department shall suspend driving privileges when provided under ORS 809.416. The
26 suspension shall continue until the earlier of the following:

27 (A) The person establishes to the satisfaction of the department that the person has performed
28 all acts necessary under ORS 809.416 to make the person not subject to suspension.

29 (B) Ten years from the date the [*suspension is imposed*] **traffic offense or violation of ORS**
30 **471.430 occurred** if the suspension is imposed for a reason described in ORS 809.416 (1) [*or (2) or*
31 *five*], **20 years** from the date the [*suspension is imposed*] **traffic offense occurred** if the suspension
32 is imposed for [*the*] **a reason described in ORS 809.416 (2) or five years from the date the sus-**
33 **pension is imposed for a** reason described in ORS 809.416 (3).

34 (b) A person is entitled to administrative review under ORS 809.440 of a suspension under this
35 subsection.

36 (5) Upon determination by the department that a person has committed an act that constitutes
37 an offense described in ORS 809.310, the department may suspend any driving privileges or any
38 identification card of the person determined to have committed the act. A suspension under this
39 subsection shall continue for a period of one year.

40 (6) Upon determination by the department that a person has submitted false information to the
41 department for the purpose of establishing or maintaining qualification to operate a commercial
42 motor vehicle or hold a commercial driver license, the department may suspend the commercial
43 driver license or the person's right to apply for a commercial driver license. A suspension under this
44 subsection shall continue for a period of one year.

45 **SECTION 5.** ORS 809.280 is amended to read:

1 809.280. (1) Upon receipt of a court order under ORS 809.270, the Department of Transportation
2 shall suspend the person's driving privileges. The suspension shall remain in effect until the de-
3 partment is notified by the court that the suspension is ended, except that, if the department is or-
4 dered to automatically reinstate the driving privileges upon the successful completion of a program,
5 the department shall do so and shall notify the judge that the person has complied with the order
6 of the judge.

7 (2) Upon receipt of a court order under ORS 809.120, the department shall suspend the person's
8 driving privileges. The suspension shall be for the period ordered by the court. The court may only
9 order suspension for a period not to exceed 90 days.

10 (3) Upon receipt of a court notice under ORS 809.130 of an unsettled judgment, the department
11 shall suspend the person's driving privileges and, subject to any other requirements of law, reinstate
12 the driving privileges upon appropriate notification from the court under ORS 809.130, except that
13 the department shall only impose the suspension after the department has determined that:

14 (a) The judgment was rendered against the person;

15 (b) The judgment has remained unsettled as described in ORS 809.470 for 60 days; and

16 (c) The judgment continues to be unsettled as described in ORS 809.470.

17 (4) Upon receipt of a court notice under ORS 419C.472 or 809.220, the department shall suspend
18 the person's driving privileges for an indefinite period. The department shall reinstate driving priv-
19 ileges that have been suspended under this subsection upon notification by the court or upon the
20 elapse of 10 years from the date *[of suspension]* **the traffic offense or violation of ORS 471.430**
21 **occurred**, whichever comes first. The department may not suspend any driving privileges under this
22 subsection for a person's failure to appear on a parking, pedestrian or bicyclist offense.

23 (5) Upon receipt of a court notice under ORS 810.310, the department shall suspend the person's
24 driving privileges for an indefinite period. The department shall reinstate driving privileges that
25 have been suspended under this subsection upon notification by the court or upon the lapse of 10
26 years from the date of suspension, whichever comes first.

27 (6) Upon receipt of a court order under ORS 809.260, the department shall suspend the person's
28 driving privileges as follows:

29 (a) Upon receipt of the first order suspending driving privileges, the department shall suspend
30 the person's driving privileges for one year, or until the person reaches 17 years of age, whichever
31 is longer.

32 (b) Upon receipt of a second or subsequent order suspending driving privileges, the department
33 shall suspend the person's driving privileges for one year or until the person reaches 18 years of
34 age, whichever is longer.

35 (7) If the department receives notice from a court that it has withdrawn an order issued under
36 ORS 809.260, the department shall immediately reinstate any driving privileges that have been sus-
37 pended under subsection (6) of this section because of the issuance of the order.

38 (8) Upon receipt of a court order under ORS 165.805 or 471.430, the department shall suspend
39 the person's driving privileges. The suspension shall be for the period ordered by the court. The
40 court may only order suspension for a period not to exceed one year.

41 (9) Upon receipt of a court order under ORS 809.265, the department shall suspend the person's
42 driving privileges for six months.

43 (10) Upon receipt of a court order under ORS 809.235, the department shall permanently revoke
44 the person's driving privileges. The revocation shall remain in effect until the department is notified
45 by a court that the person's driving privileges have been ordered restored.

1 (11) When a court orders suspension of driving privileges under ORS 811.109 (4), the department
2 shall suspend the person's driving privileges. The suspension shall be for the period ordered by the
3 court. The court may only order suspension for a period not to exceed 30 days.

4 (12) When a court orders suspension of driving privileges under ORS 811.109 (5), the department
5 shall suspend the person's driving privileges. The suspension shall be for the period ordered by the
6 court. The court may only order suspension for not less than 30 days and not more than 90 days.

7 (13) Upon receipt of a court order under ORS 811.135, the department shall suspend the person's
8 driving privileges for one year.

9 **SECTION 6. (1) The amendments to ORS 809.210, 809.220 and 809.280 by sections 1, 2 and**
10 **5 of this 2013 Act apply to offenses occurring before, on or after the operative date specified**
11 **in section 7 of this 2013 Act.**

12 **(2) The amendments to ORS 809.415 and 809.416 by sections 3 and 4 of this 2013 Act apply**
13 **to the issuance or reissuance of notices of suspension on or after the operative date specified**
14 **in section 7 of this 2013 Act.**

15 **SECTION 7. (1) The amendments to ORS 809.210, 809.220, 809.280, 809.415 and 809.416 by**
16 **sections 1 to 5 of this 2013 Act become operative October 1, 2013.**

17 **(2) The Department of Transportation may take any action before October 1, 2013, that**
18 **is necessary to enable the department to implement the amendments to ORS 809.210, 809.220,**
19 **809.280, 809.415 and 809.416 by sections 1 to 5 of this 2013 Act on October 1, 2013.**

20 **SECTION 8. If House Bill 2986 becomes law, section 1, chapter __, Oregon Laws 2013**
21 **(Enrolled House Bill 2986) (amending ORS 809.210), is repealed and ORS 809.210, as amended**
22 **by section 1 of this 2013 Act, is amended to read:**

23 809.210. (1) A court may do any of the following if the defendant is convicted of any traffic of-
24 fense and fails or refuses to pay a fine imposed by the court or to comply with any condition upon
25 which payment of the fine or any part of it was suspended:

26 (a) Issue a notice of suspension to the Department of Transportation that directs the department
27 to implement procedures under ORS 809.416.

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

29 (2) The authority granted in this section is in addition to or instead of any other method au-
30 thorized by law for enforcing a court order.

31 (3) If a court places restrictions on driving privileges under this section:

32 (a) The court shall immediately advise the department of the restrictions.

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

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

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

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

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

40 (4) If the court issues a notice of suspension that directs the department to implement proce-
41 dures under ORS 809.416 as provided under this section:

42 (a) And if, at any time within the period of suspension under this section, a person pays the fine,
43 has begun making payments according to the payment schedule established [by] **with** the court or
44 has obeyed the order of the court, the court shall immediately send to the department a notice of
45 reinstatement. The notice of suspension may be reissued if the person ceases making payments be-

1 fore the fine is paid in full. The reissuance does not extend the original period of suspension.

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

3 **(5)(a) At any time after the court issues a notice of suspension under this section, the**
4 **person whose driving privileges have been suspended may seek reinstatement with the court**
5 **if the person is enrolled in a preapprenticeship program, as defined in ORS 660.010, or is a**
6 **registered apprentice under ORS 660.020. The court shall issue a notice of reinstatement of**
7 **the person's driving privileges if the person provides the court with a form that includes**
8 **verification from the Bureau of Labor and Industries that the person is enrolled in a preap-**
9 **prenticeship program or is a registered apprentice.**

10 (b) The bureau shall develop the form prescribed in paragraph (a) of this subsection. The
11 form must include:

12 (A) The name of the person who is enrolled in a preapprenticeship program or registered
13 as an apprentice;

14 (B) A statement from the person's program, certifying that the person is enrolled in the
15 preapprenticeship program or is a registered apprentice;

16 (C) The date on which the person is scheduled to complete the program;

17 (D) For a person who is enrolled in a preapprenticeship program, a statement that the
18 program will notify the bureau of the registration of the person as an apprentice under ORS
19 660.020 after completion of the person's preapprenticeship program or notify the bureau of
20 the person's failure to register; and

21 (E) A statement that the program will notify the court if the person fails to complete the
22 program or fails to register as an apprentice under ORS 660.020 after completion of a pre-
23 apprenticeship program.

24 (c) Upon the request of a person whose driving privileges have been suspended under this
25 section, the bureau shall seek to verify that the person is enrolled in a preapprenticeship
26 program or is registered as an apprentice. If the bureau verifies that the person is enrolled
27 in a preapprenticeship program or is registered as an apprentice, the bureau shall include
28 the verification on the form described in this subsection.

29 (d) If the court receives a notice from the program that the person has failed to complete
30 the program, or failed to register as an apprentice under ORS 660.020 after completion of a
31 preapprenticeship program, the court shall reissue the notice of suspension. The reissuance
32 does not extend the original period of suspension.

33 (6) A person whose driving privileges are reinstated under subsection (5) of this section
34 shall establish a payment schedule with the court and begin making payments within six
35 months after completing a preapprenticeship program and apprenticeship program, as de-
36 fined in ORS 660.010, or six months after completing an apprenticeship program if the person
37 was never enrolled in a preapprenticeship program. The court shall reissue the notice of
38 suspension if the person does not establish a payment schedule within the time required
39 under this subsection. The reissuance does not extend the original period of suspension.

40 [(5)] (7) A court may not issue a notice of suspension under this section that directs the de-
41 partment to implement procedures under ORS 809.416 for failure to pay a fine relating to any
42 parking offense, pedestrian offense or bicycling offense.

43 [(6)] (8) A notification by a court to the department under this section shall be in a form pre-
44 scribed by the department.

45 **SECTION 9. If House Bill 2986 becomes law, section 2, chapter __, Oregon Laws 2013**

1 **(Enrolled House Bill 2986) (amending ORS 809.416), is repealed and ORS 809.416, as amended**
2 **by section 3 of this 2013 Act, is amended to read:**

3 809.416. This section establishes circumstances that will make a person subject to suspension
4 under ORS 809.415 (4) and what a person is required to do to make the person no longer subject to
5 suspension. The following apply as described:

6 (1) A person is subject to suspension under ORS 809.415 (4) if the Department of Transportation
7 receives notice from a court to apply this section under ORS 809.220. A person who is subject under
8 this subsection remains subject until the person presents the department with notice issued by the
9 court showing that the person is no longer subject to this section or until 10 years have elapsed
10 from the date the traffic offense or violation of ORS 471.430 occurred, whichever is earlier. This
11 subsection shall not subject a person to ORS 809.415 (4) for any pedestrian offense, bicycling offense
12 or parking offense. Upon receipt of notice from a court, the department shall send a letter by first
13 class mail advising the person that the suspension will commence 60 days from the date of the letter
14 unless the person presents the department with the notice required by this subsection.

15 (2) A person is subject to suspension under ORS 809.415 (4) if the department receives a notice
16 of suspension from a court under ORS 809.210 indicating that [a] **the** person has failed or refused
17 to pay a fine or obey an order of the court. A person who is subject under this subsection remains
18 subject until **the earlier of the following:**

19 (a) The person presents the department with a notice of reinstatement issued by the court
20 showing that the person:

21 (A) Is making payments, has paid the fine or has obeyed the order of the court[, *or until 20*];
22 **or**

23 (B) **Has enrolled in a preapprenticeship program, as defined in ORS 660.010, or is a reg-**
24 **istered apprentice under ORS 660.020; or**

25 (b) **Twenty** years have elapsed from the date the traffic offense occurred[, *whichever is*
26 *earlier*].

27 (3) [This] Subsection (2) of this section does not subject a person to ORS 809.415 (4) for failure
28 or refusal to pay a fine relating to any pedestrian offense, bicycling offense or parking offense. Upon
29 receipt of a notice of suspension from a court, the department shall send a letter by first class mail
30 advising the person that the suspension will commence 60 days from the date of the letter unless
31 the person presents the department with the notice of reinstatement required by this subsection.

32 [(3)] (4) A person is subject to suspension under ORS 809.415 (4) if the person pays the depart-
33 ment any fee or tax with a bank check and the check is returned to the department as uncollectible
34 or the person tenders payment with a credit or debit card and the issuer of the card does not pay
35 the department. A person who is subject under this subsection remains subject until the department
36 receives the money for the fee or tax and any fee charged by the department under ORS 802.170 or
37 until five years have elapsed, whichever is earlier.

38 **SECTION 10. If House Bill 2986 becomes law, section 3, chapter __, Oregon Laws 2013**
39 **(Enrolled House Bill 2986) (amending ORS 807.250), is repealed.**

40 **SECTION 11. If House Bill 2986 becomes law, section 4, chapter __, Oregon Laws 2013**
41 **(Enrolled House Bill 2986) (amending ORS 809.415), is repealed and ORS 809.415, as amended**
42 **by section 4 of this 2013 Act, is amended to read:**

43 809.415. (1)(a) The Department of Transportation shall suspend the driving privileges of a person
44 who has a judgment of the type described under ORS 806.040 rendered against the person if the
45 person does not settle the judgment in the manner described under ORS 809.470 within 60 days after

1 its entry.

2 (b) A suspension under this subsection shall continue until the person does one of the following:

3 (A) Settles the judgment in the manner described in ORS 809.470.

4 (B) Has an insurer that has been found by the department to be obligated to pay the judgment,
5 provided that there has been no final adjudication by a court that the insurer has no such obli-
6 gation.

7 (C) Gives evidence to the department that a period of seven years has elapsed since the entry
8 of the judgment.

9 (D) Receives from the court that rendered the judgment an order permitting the payment of the
10 judgment in installments.

11 (c) A person is entitled to administrative review under ORS 809.440 of a suspension under this
12 subsection.

13 (2)(a) The department shall suspend the driving privileges of a person who falsely certifies the
14 existence of a motor vehicle liability insurance policy or the existence of some other means of sat-
15 isfying financial responsibility requirements or of a person who, after certifying the existence of a
16 motor vehicle liability insurance policy or other means of satisfying the requirements, allows the
17 policy to lapse or be canceled or otherwise fails to remain in compliance with financial responsi-
18 bility requirements.

19 (b) Notwithstanding paragraph (a) of this subsection, the department may suspend under this
20 subsection only if proof of compliance with financial responsibility requirements as of the date of
21 the letter of verification from the department under ORS 806.150 is not submitted within 30 days
22 after the date of the mailing of the department's demand under ORS 806.160.

23 (c) A suspension under this subsection shall continue until the person complies with future re-
24 sponsibility filings.

25 (3)(a) The department shall suspend the driving privileges of a person who fails to comply with
26 future responsibility filings whenever required under the vehicle code or fails to provide new proof
27 for future responsibility filings when requested by the department.

28 (b) A suspension under this subsection shall continue until the person complies with future re-
29 sponsibility filings.

30 (c) A person whose initial obligation to make future responsibility filings is not based upon a
31 conviction or other action by a court is entitled to a hearing under ORS 809.440 prior to a suspen-
32 sion under this subsection. A person whose obligation to make future responsibility filings is based
33 upon a conviction or other action by a court is entitled to administrative review under ORS 809.440
34 of a suspension under this subsection. A person whose suspension under this subsection is based on
35 lapses in filing after the initial filing has been made is entitled to administrative review under ORS
36 809.440.

37 (4)(a) The department shall suspend driving privileges when provided under ORS 809.416. The
38 suspension shall continue until the earlier of the following:

39 (A) The person establishes to the satisfaction of the department that the person has performed
40 all acts necessary under ORS 809.416 to make the person not subject to suspension.

41 (B) Ten years from the date the traffic offense or violation of ORS 471.430 occurred if the sus-
42 pension is imposed for a reason described in ORS 809.416 (1), 20 years from the date the traffic of-
43 fense occurred if the suspension is imposed for a reason described in ORS 809.416 (2) or five years
44 from the date the suspension is imposed for a reason described in ORS 809.416 [(3)] (4).

45 (b) A person is entitled to administrative review under ORS 809.440 of a suspension under this

1 subsection.

2 (5) Upon determination by the department that a person has committed an act that constitutes
3 an offense described in ORS 809.310, the department may suspend any driving privileges or any
4 identification card of the person determined to have committed the act. A suspension under this
5 subsection shall continue for a period of one year.

6 (6) Upon determination by the department that a person has submitted false information to the
7 department for the purpose of establishing or maintaining qualification to operate a commercial
8 motor vehicle or hold a commercial driver license, the department may suspend the commercial
9 driver license or the person's right to apply for a commercial driver license. A suspension under this
10 subsection shall continue for a period of one year.

11 **SECTION 12. If House Bill 2986 becomes law, section 5, chapter __, Oregon Laws 2013**
12 **(Enrolled House Bill 2986), is repealed.**

13 **SECTION 13. The amendments to ORS 809.210 and 809.416 by sections 8 and 9 of this 2013**
14 **Act apply to offenses occurring before, on or after January 1, 2014.**

15 **SECTION 14. The amendments to ORS 809.210, 809.415 and 809.416 by sections 8, 9 and**
16 **11 of this 2013 Act become operative January 1, 2014.**

17 **SECTION 15. This 2013 Act being necessary for the immediate preservation of the public**
18 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
19 **on its passage.**

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