

## SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 833

By JOINT COMMITTEE ON WAYS AND MEANS

April 19

- 1 On page 1 of the printed A-engrossed bill, line 2, delete “and”.
- 2 In line 3, after “802.160,” insert “802.200,” and after “807.375” insert “; and limiting  
3 expenditures”.
- 4 In line 15, delete “license or permit” and insert “type of driving privileges”.
- 5 On page 2, line 1, delete “, if any,”.
- 6 In line 2, after “Administration” insert “or provides a written statement that the person has not  
7 been assigned a Social Security number”.
- 8 On page 3, after line 10, insert:
- 9 “(8) Fee for reinstatement of revoked driving privileges under ORS 809.390, \$75.
- 10 “(9) Fee for reinstatement of suspended driving privileges under ORS 809.380, \$75.
- 11 “(10) Fee for reinstatement of right to apply for driving privileges after a delay under ORS  
12 809.280 (10) (1997 Edition), the same as the fee for reinstatement of suspended driving privileges.”.
- 13 In line 35, delete “(4)” and insert “(5)”.
- 14 In line 38, delete “(4)” and insert “(5)”.
- 15 On page 9, after line 11, insert:
- 16 “**SECTION 14.** ORS 802.200 is amended to read:
- 17 “802.200. In addition to any other records the Department of Transportation may establish, the  
18 department is subject to the following provisions concerning records:
- 19 “(1) The department shall maintain records concerning the titling of vehicles in this state. The  
20 records under this subsection shall include the following:
- 21 “(a) For vehicles issued a title by this state, the records shall identify the vehicle and contain  
22 the following:
- 23 “(A) The name of the vehicle owner and any security interest holders in order of priority, except  
24 that a security interest holder need not be identified if the debtor who granted the interest is in the  
25 business of selling vehicles and the vehicles constitute inventory held for sale;
- 26 “(B) The name of any lessor of the vehicle;
- 27 “(C) The vehicle description; and
- 28 “(D) Whether a certificate of title was issued for the vehicle.
- 29 “(b) If the vehicle is an antique vehicle that is reconstructed, the records shall indicate that the  
30 vehicle is reconstructed.
- 31 “(c) If the vehicle is a replica, the records shall indicate that the vehicle is a replica.
- 32 “(d) Any other information concerning the titling of vehicles that the department considers  
33 convenient or appropriate.
- 34 “(e) All odometer readings for a vehicle that are reported to the department under provisions  
35 of the vehicle code.

1       “(f) If the vehicle has been reported to the department as a totaled vehicle under the provisions  
2 of ORS 819.012 or 819.014, the records shall indicate that the vehicle is a totaled vehicle unless the  
3 reason for the report was theft and the vehicle has been recovered.

4       “(2) If a vehicle that has been registered or titled in another jurisdiction is registered or titled  
5 in this state, the department shall retain a record of any odometer readings shown on the title or  
6 registration documents submitted to the department at the time of registration or title.

7       “(3) Except as otherwise provided in ORS 826.003, the department shall maintain records con-  
8 cerning the registration of vehicles required to be registered by the department. The records con-  
9 cerning the registration of vehicles may be stored along with records concerning the titling of  
10 vehicles. The records under this subsection shall include the following:

11       “(a) For vehicles registered by the department, the records shall identify the vehicle and contain  
12 the following:

13           “(A) The registration plate number assigned by the department to the vehicle;

14           “(B) The name of the vehicle owner;

15           “(C) The vehicle description and vehicle identification number; and

16           “(D) An indication that the vehicle is a totaled vehicle if it has been reported to the department  
17 as a totaled vehicle under the provisions of ORS 819.012 or 819.014, unless the reason for the report  
18 was theft and the vehicle has been recovered.

19       “(b) Any other information concerning the registration of vehicles that the department considers  
20 convenient or appropriate.

21       “(4) The department shall maintain separate records for the regulation of vehicle dealers. The  
22 records required under this subsection shall include the following information about persons issued  
23 dealer certificates:

24           “(a) The person’s application for a vehicle dealer certificate.

25           “(b) An alphabetical index of the name of each person applying for a vehicle dealer certificate.

26           “(c) A numerical index according to the distinctive number assigned to each vehicle dealer.

27       “(5) The department shall maintain a file on vehicles for which the title record is canceled under  
28 ORS 819.030. The records required under this subsection shall disclose the last registered owner of  
29 each vehicle, any security interest holder or holders and lessors of each vehicle as shown by the  
30 canceled title record for each vehicle and the make and year model for each vehicle.

31       “(6) The department shall maintain a record of each agreement or declaration under ORS  
32 802.500 and 802.520.

33       “(7) The department shall maintain separate and comprehensive records of all transactions af-  
34 fecting the Revolving Account for Emergency Cash Advances described under ORS 802.100.

35       “(8) The department shall maintain suitable records of driver licenses, driver permits, **driver**  
36 **cards** and identification cards. The records required under this subsection shall include all of the  
37 following:

38           “(a) An index by name and number.

39           “(b) Supporting documentation of all driver licenses, driver permits, **driver cards** or identifica-  
40 tion cards issued.

41           “(c) Every application for a driver license, driver permit, **driver card** or identification card.

42           “(d) All driver licenses [*or*], driver permits **or driver cards** that have been suspended or re-  
43 voked.

44           “(e) **Except as provided in paragraph (f) of this subsection**, for each driver license, driver  
45 permit or identification card, the Social Security number of the person to whom the driver license,

1 driver permit or identification card is issued or proof that the person is not eligible for a Social  
2 Security number.

3 “(f) For each driver card, the Social Security number of the person to whom the driver  
4 card is issued or a written statement that the person has not been assigned a Social Security  
5 number.

6 “[(f)] (g) For each commercial driver license, the Social Security number of the person to whom  
7 the license is issued, or any other number or identifying information that the Secretary of the  
8 United States Department of Transportation determines appropriate to identify the person.

9 “(9) The Department of Transportation shall maintain a two-part driving record consisting of  
10 an employment driving record and a nonemployment driving record for each person as required un-  
11 der this subsection. All of the following apply to the records required under this subsection:

12 “(a) The department shall maintain driving records on:

13 “(A) Every person who is granted driving privileges under a driver license, driver permit, **driver**  
14 **card** or a statutory grant of driving privileges under ORS 807.020;

15 “(B) Every person whose driving privileges have been suspended, revoked or canceled under this  
16 vehicle code;

17 “(C) Every person who has filed an accident report under ORS 811.725 or 811.730; and

18 “(D) Every person who is required to provide future responsibility filings under ORS 806.200,  
19 806.220, 806.230 or 806.240.

20 “(b) In addition to other information required by this paragraph, the employment driving record  
21 shall include all reports of drug test results that are made to the department under ORS 825.410.  
22 Notwithstanding any other provision of law, release of the portion of the employment driving record  
23 that shows drug test results reported under ORS 825.410 is permitted only in accordance with ORS  
24 802.202. The employment driving record shall also include all motor vehicle accidents that the per-  
25 son is required to report under ORS 811.720, all suspensions of driving privileges required to be  
26 placed on the record under ORS 809.280, all suspensions of the person’s commercial driver license  
27 that result from operation or use of a commercial motor vehicle and all convictions of the person  
28 for violation of motor vehicle laws except convictions for offenses requiring mandatory revocation  
29 or suspension of driving privileges under ORS 809.409, 809.411, 809.413 and 813.400, but shall include  
30 only such accidents, suspensions and convictions that occur while the person is driving a motor  
31 vehicle:

32 “(A) In the course of the person’s employment when the person is employed by another for the  
33 principal purpose of driving a motor vehicle;

34 “(B) Carrying persons or property for compensation;

35 “(C) In the course of the person’s employment in the collection, transportation or delivery of  
36 mail if the vehicle is government owned or marked for the collection, transportation or delivery of  
37 mail in accordance with government rules;

38 “(D) That is an authorized emergency vehicle;

39 “(E) That is a commercial motor vehicle; or

40 “(F) In the course of the person’s employment with a federal, state or local government in a  
41 public works project involving repair or maintenance of water, sewer or road systems.

42 “(c) The nonemployment driving record shall include the person’s:

43 “(A) Motor vehicle accidents that the person is required to report under ORS 811.720, other  
44 than the motor vehicle accidents that are included on the person’s employment driving record;

45 “(B) Suspensions, cancellations and revocations of licenses, permits and driving privileges;

1 “(C) Convictions for violation of the motor vehicle laws other than those included in the em-  
2 ployment driving record including, for each violation of ORS 811.100 or 811.111, the speed at which  
3 the person was convicted of traveling and the posted speed, the speed limit or the speed that con-  
4 stitutes prima facie evidence of violation of the basic speed rule, as appropriate; and

5 “(D) Diversion agreements entered into under ORS 813.220 within the preceding 15 years.

6 “(d) The department may record other entries to indicate correspondence, interviews, partic-  
7 ipation in driver improvement programs or other matters concerning the status of the driving priv-  
8 ileges of the person.

9 “(e) When a person from another jurisdiction applies for a driver license or driver permit issued  
10 by this state, the department shall request a copy of the person’s driving record from the other ju-  
11 risdiction. At the time the person is issued a license in Oregon, the record from the other jurisdic-  
12 tion shall become part of the driver’s record in this state with the same force and effect as though  
13 entered on the driver’s record in this state in the original instance. The department by rule may  
14 specify methods for converting entries from out-of-state records for use in Oregon.

15 “(f) When a suspension of a driver permit, driver license or other driving privilege is placed on  
16 the driving record under ORS 809.280 for failure to appear in court on a traffic crime, the depart-  
17 ment shall note on the record that the suspension was for failure to appear in court and shall also  
18 note the offense charged against the person on which the person failed to appear.

19 “(g) The Department of Transportation, in consultation with the Department of State Police,  
20 shall devise and implement a method of noting suspensions and revocations of driving privileges on  
21 the record in such a way that police agencies can determine directly from the record what class of  
22 offense, as provided by law, is committed by a person who drives in violation of the suspension or  
23 revocation. If the Department of Transportation and the Department of State Police devise a mutu-  
24 ally agreeable alternative method of informing police agencies of the nature of a suspension or re-  
25 vocation and the consequences of its violation, the implementation of that method shall satisfy the  
26 duty of the Department of Transportation under this paragraph.

27 “(10) The Department of Transportation shall maintain records of judgments or convictions sent  
28 to the department under ORS 810.375.

29 “(11) The department shall maintain accident reports filed with the department under ORS  
30 810.460 and 811.725 to 811.735.

31 “(12) The department shall maintain records of bank checks or money orders returned under  
32 ORS 802.110.

33 “(13) The department shall maintain records of trip permits issued by the department under ORS  
34 803.600, as provided under this subsection. The records required by this subsection shall include the  
35 following:

36 “(a) A description of the vehicle sufficient to identify the vehicle.

37 “(b) The person to whom the permit was issued.

38 “(c) When the permit was issued.

39 “(d) The type of permit issued.

40 “(e) For registration weight trip permits, the maximum allowable registration weight permitted  
41 for operation under the permit.

42 “(f) Any other information the department determines appropriate or convenient.

43 “**SECTION 15. Notwithstanding any other law limiting expenditures, the amount of**  
44 **\$4,708,505 is established for the biennium beginning July 1, 2013, as the maximum limit for**  
45 **payment of expenses for the purpose of carrying out section 2 of this 2013 Act from fees,**

1 **moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and**  
2 **federal funds, collected or received by the Department of Transportation under section 5 of**  
3 **this 2013 Act.”**

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