

**PROPOSED AMENDMENTS TO
HOUSE BILL 2384**

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the
2 line and insert “131.602.”.

3 Delete lines 4 through 29 and delete pages 2 and 3 and insert:

4 **“SECTION 1. Sections 2 and 3 of this 2013 Act are added to and
5 made a part of the Oregon Vehicle Code.**

6 **“SECTION 2. (1) A motor vehicle may be seized for forfeiture if the
7 person operating the motor vehicle is arrested or issued a citation for
8 criminal driving while suspended or revoked under ORS 811.182 or ag-
9 gravated driving while suspended or revoked under ORS 163.196, and
10 the person, within three years prior to the arrest or issuance of the
11 citation, has been convicted of:**

12 **“(a) Criminal driving while suspended or revoked under ORS 811.182;
13 or**

14 **“(b) Aggravated driving while suspended or revoked under ORS
15 163.196.**

16 **“(2) All seizure and forfeiture proceedings under this section shall
17 be conducted in accordance with ORS chapter 131A.**

18 **“SECTION 3. A law enforcement agency, as defined in ORS 136.595,
19 may not seize a vehicle for forfeiture under ORS 131.602 (132) or (133)
20 or section 2 of this 2013 Act, unless the agency has adopted policies
21 and procedures for seizure, including policies relating to when a police
22 officer may seize a motor vehicle for forfeiture under ORS 131.602 (132)**

1 **or (133) or section 2 of this 2013 Act.**

2 **“SECTION 4.** ORS 131.602 is amended to read:

3 “131.602. The crimes to which ORS 131.550 (12)(b) applies are:

4 “(1) Bribe giving, as defined in ORS 162.015.

5 “(2) Bribe receiving, as defined in ORS 162.025.

6 “(3) Public investment fraud, as defined in ORS 162.117.

7 “(4) Bribing a witness, as defined in ORS 162.265.

8 “(5) Bribe receiving by a witness, as defined in ORS 162.275.

9 “(6) Simulating legal process, as defined in ORS 162.355.

10 “(7) Official misconduct in the first degree, as defined in ORS 162.415.

11 “(8) Assisting another person to commit suicide, as defined in ORS
12 163.193.

13 “(9) Custodial interference in the second degree, as defined in ORS
14 163.245.

15 “(10) Custodial interference in the first degree, as defined in ORS 163.257.

16 “(11) Buying or selling a person under 18 years of age, as defined in ORS
17 163.537.

18 “(12) Using a child in a display of sexually explicit conduct, as defined
19 in ORS 163.670.

20 “(13) Encouraging child sexual abuse in the first degree, as defined in
21 ORS 163.684.

22 “(14) Encouraging child sexual abuse in the second degree, as defined in
23 ORS 163.686.

24 “(15) Encouraging child sexual abuse in the third degree, as defined in
25 ORS 163.687.

26 “(16) Possession of materials depicting sexually explicit conduct of a child
27 in the first degree, as defined in ORS 163.688.

28 “(17) Possession of materials depicting sexually explicit conduct of a child
29 in the second degree, as defined in ORS 163.689.

30 “(18) Theft in the second degree, as defined in ORS 164.045.

- 1 “(19) Theft in the first degree, as defined in ORS 164.055.
- 2 “(20) Aggravated theft in the first degree, as defined in ORS 164.057.
- 3 “(21) Theft by extortion, as defined in ORS 164.075.
- 4 “(22) Theft by deception, as defined in ORS 164.085, if it is a felony or a
5 Class A misdemeanor.
- 6 “(23) Theft by receiving, as defined in ORS 164.095, if it is a felony or a
7 Class A misdemeanor.
- 8 “(24) Theft of services, as defined in ORS 164.125, if it is a felony or a
9 Class A misdemeanor.
- 10 “(25) Unauthorized use of a vehicle, as defined in ORS 164.135.
- 11 “(26) Mail theft or receipt of stolen mail, as defined in ORS 164.162.
- 12 “(27) Laundering a monetary instrument, as defined in ORS 164.170.
- 13 “(28) Engaging in a financial transaction in property derived from un-
14 lawful activity, as defined in ORS 164.172.
- 15 “(29) Burglary in the second degree, as defined in ORS 164.215.
- 16 “(30) Burglary in the first degree, as defined in ORS 164.225.
- 17 “(31) Possession of a burglary tool or theft device, as defined in ORS
18 164.235.
- 19 “(32) Unlawful entry into a motor vehicle, as defined in ORS 164.272.
- 20 “(33) Arson in the second degree, as defined in ORS 164.315.
- 21 “(34) Arson in the first degree, as defined in ORS 164.325.
- 22 “(35) Computer crime, as defined in ORS 164.377.
- 23 “(36) Robbery in the third degree, as defined in ORS 164.395.
- 24 “(37) Robbery in the second degree, as defined in ORS 164.405.
- 25 “(38) Robbery in the first degree, as defined in ORS 164.415.
- 26 “(39) Unlawful labeling of a sound recording, as defined in ORS 164.868.
- 27 “(40) Unlawful recording of a live performance, as defined in ORS 164.869.
- 28 “(41) Unlawful labeling of a videotape recording, as defined in ORS
29 164.872.
- 30 “(42) A violation of ORS 164.886.

- 1 “(43)(a) Endangering aircraft in the first degree, as defined in ORS
2 164.885.
- 3 “(b) Endangering aircraft in the second degree, as defined in ORS 164.885.
- 4 “(44) Interference with agricultural operations, as defined in ORS 164.887.
- 5 “(45) Forgery in the second degree, as defined in ORS 165.007.
- 6 “(46) Forgery in the first degree, as defined in ORS 165.013.
- 7 “(47) Criminal possession of a forged instrument in the second degree, as
8 defined in ORS 165.017.
- 9 “(48) Criminal possession of a forged instrument in the first degree, as
10 defined in ORS 165.022.
- 11 “(49) Criminal possession of a forgery device, as defined in ORS 165.032.
- 12 “(50) Criminal simulation, as defined in ORS 165.037.
- 13 “(51) Fraudulently obtaining a signature, as defined in ORS 165.042.
- 14 “(52) Fraudulent use of a credit card, as defined in ORS 165.055.
- 15 “(53) Negotiating a bad check, as defined in ORS 165.065.
- 16 “(54) Possessing a fraudulent communications device, as defined in ORS
17 165.070.
- 18 “(55) Unlawful factoring of a payment card transaction, as defined in ORS
19 165.074.
- 20 “(56) Falsifying business records, as defined in ORS 165.080.
- 21 “(57) Sports bribery, as defined in ORS 165.085.
- 22 “(58) Sports bribe receiving, as defined in ORS 165.090.
- 23 “(59) Misapplication of entrusted property, as defined in ORS 165.095.
- 24 “(60) Issuing a false financial statement, as defined in ORS 165.100.
- 25 “(61) Obtaining execution of documents by deception, as defined in ORS
26 165.102.
- 27 “(62) A violation of ORS 165.543.
- 28 “(63) Cellular counterfeiting in the third degree, as defined in ORS
29 165.577.
- 30 “(64) Cellular counterfeiting in the second degree, as defined in ORS

- 1 165.579.
- 2 “(65) Cellular counterfeiting in the first degree, as defined in ORS 165.581.
- 3 “(66) Identity theft, as defined in ORS 165.800.
- 4 “(67) A violation of ORS 166.190.
- 5 “(68) Unlawful use of a weapon, as defined in ORS 166.220.
- 6 “(69) A violation of ORS 166.240.
- 7 “(70) Unlawful possession of a firearm, as defined in ORS 166.250.
- 8 “(71) A violation of ORS 166.270.
- 9 “(72) Unlawful possession of a machine gun, short-barreled rifle, short-
10 barreled shotgun or firearms silencer, as defined in ORS 166.272.
- 11 “(73) A violation of ORS 166.275.
- 12 “(74) Unlawful possession of armor piercing ammunition, as defined in
13 ORS 166.350.
- 14 “(75) A violation of ORS 166.370.
- 15 “(76) Unlawful possession of a destructive device, as defined in ORS
16 166.382.
- 17 “(77) Unlawful manufacture of a destructive device, as defined in ORS
18 166.384.
- 19 “(78) Possession of a hoax destructive device, as defined in ORS 166.385.
- 20 “(79) A violation of ORS 166.410.
- 21 “(80) Providing false information in connection with a transfer of a
22 firearm, as defined in ORS 166.416.
- 23 “(81) Improperly transferring a firearm, as defined in ORS 166.418.
- 24 “(82) Unlawfully purchasing a firearm, as defined in ORS 166.425.
- 25 “(83) A violation of ORS 166.429.
- 26 “(84) A violation of ORS 166.470.
- 27 “(85) A violation of ORS 166.480.
- 28 “(86) A violation of ORS 166.635.
- 29 “(87) A violation of ORS 166.638.
- 30 “(88) Unlawful paramilitary activity, as defined in ORS 166.660.

- 1 “(89) A violation of ORS 166.720.
- 2 “(90) Prostitution, as defined in ORS 167.007.
- 3 “(91) Patronizing a prostitute, as defined in ORS 167.008.
- 4 “(92) Promoting prostitution, as defined in ORS 167.012.
- 5 “(93) Compelling prostitution, as defined in ORS 167.017.
- 6 “(94) Exhibiting an obscene performance to a minor, as defined in ORS
7 167.075.
- 8 “(95) Unlawful gambling in the second degree, as defined in ORS 167.122.
- 9 “(96) Unlawful gambling in the first degree, as defined in ORS 167.127.
- 10 “(97) Possession of gambling records in the second degree, as defined in
11 ORS 167.132.
- 12 “(98) Possession of gambling records in the first degree, as defined in ORS
13 167.137.
- 14 “(99) Possession of a gambling device, as defined in ORS 167.147.
- 15 “(100) Possession of a gray machine, as defined in ORS 167.164.
- 16 “(101) Cheating, as defined in ORS 167.167.
- 17 “(102) Tampering with drug records, as defined in ORS 167.212.
- 18 “(103) A violation of ORS 167.262.
- 19 “(104) Research and animal interference, as defined in ORS 167.312.
- 20 “(105) Animal abuse in the first degree, as defined in ORS 167.320.
- 21 “(106) Aggravated animal abuse in the first degree, as defined in ORS
22 167.322.
- 23 “(107) Animal neglect in the first degree, as defined in ORS 167.330.
- 24 “(108) Interfering with an assistance, a search and rescue or a therapy
25 animal, as defined in ORS 167.352.
- 26 “(109) Involvement in animal fighting, as defined in ORS 167.355.
- 27 “(110) Dogfighting, as defined in ORS 167.365.
- 28 “(111) Participation in dogfighting, as defined in ORS 167.370.
- 29 “(112) Unauthorized use of a livestock animal, as defined in ORS 167.385.
- 30 “(113) Interference with livestock production, as defined in ORS 167.388.

- 1 “(114) A violation of ORS 167.390.
- 2 “(115) Participation in cockfighting, as defined in ORS 167.431.
- 3 “(116) A violation of ORS 471.410.
- 4 “(117) Failure to report missing precursor substances, as defined in ORS
5 475.955.
- 6 “(118) Illegally selling drug equipment, as defined in ORS 475.960.
- 7 “(119) Providing false information on a precursor substances report, as
8 defined in ORS 475.965.
- 9 “(120) Unlawful delivery of an imitation controlled substance, as defined
10 in ORS 475.912.
- 11 “(121) A violation of ORS 475.752, if it is a felony or a Class A
12 misdemeanor.
- 13 “(122) A violation of ORS 475.914, if it is a felony or a Class A
14 misdemeanor.
- 15 “(123) A violation of ORS 475.916.
- 16 “(124) A violation of ORS 475.906, if it is a felony or a Class A
17 misdemeanor.
- 18 “(125) A violation of ORS 475.904.
- 19 “(126) Misuse of an identification card, as defined in ORS 807.430.
- 20 “(127) Unlawful production of identification cards, licenses, permits, forms
21 or camera cards, as defined in ORS 807.500.
- 22 “(128) Transfer of documents for the purposes of misrepresentation, as
23 defined in ORS 807.510.
- 24 “(129) Using an invalid license, as defined in ORS 807.580.
- 25 “(130) Permitting misuse of a license, as defined in ORS 807.590.
- 26 “(131) Using another’s license, as defined in ORS 807.600.
- 27 “(132) Criminal driving while suspended or revoked, as defined in ORS
28 811.182[, *when it is a felony*].
- 29 “(133) **Aggravated driving while suspended or revoked, as defined in**
30 **ORS 163.196.**

1 “[(133)] (134) Driving while under the influence of intoxicants, as defined
2 in ORS 813.010, when it is a felony.

3 “[(134)] (135) Unlawful distribution of cigarettes, as defined in ORS
4 323.482.

5 “[(135)] (136) Unlawful distribution of tobacco products, as defined in ORS
6 323.632.

7 “[(136)] (137) A violation of ORS 180.440 (2) or 180.486 (2).

8 “[(137)] (138) A violation described in ORS 475.806 to 475.894, if it is a
9 felony.

10 “[(138)] (139) Subjecting another person to involuntary servitude in the
11 first degree, as defined in ORS 163.264.

12 “[(139)] (140) Subjecting another person to involuntary servitude in the
13 second degree, as defined in ORS 163.263.

14 “[(140)] (141) Trafficking in persons, as defined in ORS 163.266.

15 “[(141)] (142) Luring a minor, as defined in ORS 167.057.

16 “[(142)] (143) Online sexual corruption of a child in the second degree,
17 as defined in ORS 163.432.

18 “[(143)] (144) Online sexual corruption of a child in the first degree, as
19 defined in ORS 163.433.

20 “[(144)] (145) An attempt, conspiracy or solicitation to commit a crime in
21 subsections (1) to [(143)] (144) of this section if the attempt, conspiracy or
22 solicitation is a felony or a Class A misdemeanor.

23 **“SECTION 5. Section 2 of this 2013 Act and the amendments to ORS**
24 **131.602 by section 4 of this 2013 Act apply to offenses occurring on or**
25 **after the effective date of this 2013 Act.”.**

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