

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2453**

1 On page 3 of the printed bill, delete lines 22 through 45.

2 On page 4, delete lines 1 through 16 and insert:

3 **“SECTION 9. (1) As used in this section:**

4 **“(a) ‘Certified service provider’ means an entity that has entered**  
5 **into an agreement with the Department of Transportation under ORS**  
6 **367.806 for reporting metered use by a subject vehicle or for adminis-**  
7 **trative services related to the collection of per-mile road usage charges**  
8 **and authorized employees of the entity.**

9 **“(b) ‘Personally identifiable information’ means any information**  
10 **that identifies or describes a person, including, but not limited to, the**  
11 **person’s travel pattern data, per-mile road usage charge account**  
12 **number, address, telephone number, electronic mail address, driver**  
13 **license or identification card number, registration plate number, pho-**  
14 **tograph, recorded images, bank account information and credit card**  
15 **number.**

16 **“(c) ‘VIN summary report’ means a monthly report by the depart-**  
17 **ment or a certified service provider that includes a summary of all**  
18 **vehicle identification numbers of subject vehicles and associated total**  
19 **metered use during the month. The report may not include location**  
20 **information.**

21 **“(2) Except as provided in subsections (3) and (4) of this section,**  
22 **personally identifiable information used for reporting metered use or**

1 for administrative services related to the collection of the per-mile  
2 road usage charge imposed under section 3 of this 2013 Act is confi-  
3 dential within the meaning of ORS 192.502 (9)(a) and is a public record  
4 exempt from disclosure under ORS 192.410 to 192.505.

5 “(3)(a) The department, a certified service provider or a contractor  
6 for a certified service provider may not disclose personally identifiable  
7 information used or developed in the conduct of these services to any  
8 person except:

9 “(A) The registered owner or lessee;

10 “(B) A financial institution, for the purpose of collecting per-mile  
11 road usage charges owed;

12 “(C) Employees of the department;

13 “(D) A certified service provider;

14 “(E) A contractor for a certified service provider, but only to the  
15 extent the contractor provides services directly related to the certified  
16 service provider’s agreement with the department; or

17 “(F) An entity expressly approved to receive the information by the  
18 registered owner or lessee of the subject vehicle.

19 “(b) Disclosure under paragraph (a) of this subsection is limited to  
20 personally identifiable information necessary to the respective  
21 recipient’s function under sections 2 to 15 of this 2013 Act.

22 “(4)(a) Not later than 30 days after completion of payment process-  
23 ing, dispute resolution for a single reporting period or a noncompli-  
24 ance investigation, whichever is latest, the department and certified  
25 service providers shall destroy records of the location and daily me-  
26 tered use of subject vehicles.

27 “(b) Notwithstanding paragraph (a) of this subsection:

28 “(A) For purposes of traffic management and research, the depart-  
29 ment and certified service providers may retain, aggregate and use  
30 information in the records after removing personally identifiable in-

1 **formation.**

2 **“(B) A certified service provider may retain the records if the reg-**  
3 **istered owner or lessee consents to the retention. Consent under this**  
4 **subparagraph does not entitle the department to obtain or use the re-**  
5 **ords or the information contained in the records.**

6 **“(C) Monthly summaries of metered use by subject vehicles may be**  
7 **retained in VIN summary reports by the department and certified**  
8 **service providers.**

9 **“(5) The department, in any agreement with a certified service**  
10 **provider, shall provide for penalties if the certified service provider**  
11 **violates this section.”.**

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