

House Bill 2819

Sponsored by Representative KOMP

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**.

Requires persons 75 years of age or older to renew driver licenses every four years and to take driving test or submit certificate from medical professional.

A BILL FOR AN ACT

1
2 Relating to documents issued by the Department of Transportation; creating new provisions; and
3 amending ORS 807.130, 807.150 and 807.400.

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

5 **SECTION 1.** ORS 807.130 is amended to read:

6 807.130. (1) A license that is issued as an original license and not as a license that is renewed
7 expires on the anniversary of the licensee's birthday:

8 (a) In the eighth calendar year after the year of issuance[.], **if the licensee is 71 years of age**
9 **or younger when the license is issued.**

10 (b) **On the date the licensee reaches 79 years of age, if the licensee is at least 71 years**
11 **of age but less than 75 years of age when the license is issued.**

12 (c) **In the fourth calendar year after the year of issuance, if the licensee is 75 years of**
13 **age or older when the license is issued.**

14 (2) A license that is renewed under ORS 807.150 expires:

15 (a) Eight years [*from*] **after** the specified expiration date of the immediately preceding
16 license[.], **if the licensee is 71 years of age or younger on the expiration date of the imme-**
17 **diately preceding license.**

18 (b) **On the date the licensee reaches 79 years of age, if the licensee is at least 71 years**
19 **of age but less than 75 years of age on the expiration date of the immediately preceding li-**
20 **cence.**

21 (c) **Four years after the specified expiration date of the immediately preceding license,**
22 **if the licensee is 75 years of age or older on the expiration date of the immediately preceding**
23 **license.**

24 (3) Notwithstanding subsections (1) and (2) of this section, a license that is issued to a person
25 who is not a citizen or permanent legal resident of the United States expires on the date the
26 licensee is no longer authorized to stay in the United States, as indicated by the documentation the
27 person presented to the Department of Transportation to provide proof of legal presence in the
28 United States as required by ORS 807.021 and 807.730, but no [*longer*] **later** than:

29 (a) Eight years [*from*] **after** the date of issuance [*or*], **if the licensee is 71 years of age or**
30 **younger when the license is issued;**

31 (b) **The date the licensee reaches 79 years of age, if the licensee is at least 71 years of**

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 **age but less than 75 years of age when the license is issued;**

2 **(c) Four years after the date of issuance, if the licensee is 75 years of age or older when**
 3 **the license is issued; or**

4 **(d) If there is no definite end to the authorized stay, [after a period of] one year after the date**
 5 **of issuance.**

6 (4) Subsection (3) of this section does not apply to a person who is a citizen of a country with
 7 a Compact of Free Association with the United States and who provides proof of legal presence in
 8 the United States as defined by the department by rule. **The age-related requirements of sub-**
 9 **sections (1) and (2) of this section apply to persons described in this subsection.**

10 (5) A license that has expired does not grant driving privileges and is not valid evidence of
 11 driving privileges.

12 **SECTION 2.** ORS 807.150 is amended to read:

13 807.150. (1) When a license expires or is about to expire, the Department of Transportation shall
 14 renew the license under this section if the [holder of] **person who holds** the license qualifies for
 15 renewal of the license under this section and:

16 (a) Applies for renewal within one year of the expiration of a similar license under ORS 807.130;
 17 or

18 (b) Applies for issuance of a license within six months after the [applicant] **person** is discharged
 19 from the Armed Forces of the United States and was licensed by this state at the time of the
 20 [applicant's] **person's** entry into the Armed Forces.

21 (2)(a) To qualify for renewal of a license under this section, a person must meet all of the re-
 22 quirements under ORS 807.040 for the class of license sought to be renewed[, *except that*].

23 **(b) If the person applying for renewal is less than 75 years of age,** the department may
 24 waive the examination under ORS 807.070 of a person applying for renewal of a license unless the
 25 department has reason to believe that the [applicant] **person** is not qualified to hold the license or
 26 unless the [applicant for renewal] **person** has not previously been examined.

27 **(c) If the person applying for renewal is 75 years of age or older, the person shall:**

28 **(A) Pass a test that consists of an actual demonstration of driving ability under ORS**
 29 **807.070 (3); or**

30 **(B) Submit a certificate, signed and dated within six months preceding the date of appli-**
 31 **cation, by a licensed physician, a certified nurse practitioner or a licensed physician assistant**
 32 **to the Department of Transportation that the applicant does not have a cognitive or func-**
 33 **tional impairment that affects the person's ability to safely operate a motor vehicle. The**
 34 **certificate must include the state-issued licensing number of the licensed physician, certified**
 35 **nurse practitioner, licensed physician assistant or licensed optometrist who signed the cer-**
 36 **tificate.**

37 (3) To receive a renewal under this section, the license renewal fee and the Student Driver
 38 Training Fund eligibility fee under ORS 807.370 must be paid.

39 (4) If a person who applies for a renewal under this section is not qualified to renew the class
 40 of license sought to be renewed, the department may issue the person any lower class of license for
 41 which the person qualifies in lieu of renewing the person's license for the class of license held by
 42 the person.

43 (5) A license that is renewed under this section may be used on or after the date of issuance.
 44 If the department issues a license renewal to a person under this section before the expiration of
 45 the license being renewed, the older license is invalid. A license that becomes invalid under this

1 subsection shall be destroyed by the person to whom it was issued.

2 (6) If the address of the applicant has changed since the last time a license was issued to or
 3 renewed for the applicant, the department shall require proof to verify the address of an applicant
 4 for renewal of a license in addition to anything else the department may require of the applicant.

5 **SECTION 3.** ORS 807.400 is amended to read:

6 807.400. (1) The Department of Transportation shall issue an identification card to any person
 7 who:

8 (a) Is domiciled in or is a resident of this state, as described in ORS 807.062;

9 (b) As required by ORS 807.021 and 807.730, provides the Social Security number assigned to the
 10 person by the United States Social Security Administration and proof of legal presence in the United
 11 States or, if the person is not eligible for a Social Security number, proof of legal presence in the
 12 United States and proof that the person is not eligible for a Social Security number;

13 (c) Does not have a current, valid driver license;

14 (d) Furnishes evidence of the person's full legal name, age and identity as the department may
 15 require; and

16 (e) Submits to collection of biometric data by the department that establish the identity of the
 17 person as provided in ORS 807.024.

18 (2) The department shall work with other agencies and organizations to attempt to improve the
 19 issuance system for identification cards.

20 (3) Every original application for an identification card must be signed by the applicant. The
 21 department shall require at least one document to verify the address of an applicant for issuance
 22 of an identification card in addition to other documents the department may require of the applicant.
 23 If the address of an applicant has changed since the last time an identification card was issued to
 24 or renewed for the applicant, the department shall require proof to verify the address of the appli-
 25 cant for renewal of an identification card, in addition to anything else the department may require.

26 (4) Every identification card shall be issued upon the standard license form described under ORS
 27 807.110 and shall bear a statement to the effect that the identification card is not a license or any
 28 other grant of driving privileges to operate a motor vehicle and is to be used for identification
 29 purposes only. The department shall use the same security procedures, processes, materials and
 30 features for an identification card as are required for a license under ORS 807.110. The identification
 31 card is not required to contain the residence address of persons listed in ORS 807.110 (1)(e).

32 (5) If the identification card is a limited term identification card issued under ORS 807.730, the
 33 limited term identification card shall indicate:

34 (a) That it is a limited term identification card; and

35 (b) The date on which the limited term identification card expires.

36 (6) Upon order of the juvenile court, the department shall include on the card the fact that the
 37 person issued the identification card is an emancipated minor.

38 (7) Upon request of the person to whom the identification card is issued and presentation of
 39 proof, as determined by the department, that the person is a veteran, as defined in ORS 408.225, the
 40 department shall include on the card the fact that the person is a veteran.

41 (8) Each *[original]* identification card shall expire on a date consistent with the expiration dates
 42 of licenses as set forth in ORS 807.130 (1)(a), (2)(a) and (3)(a) and (d), **regardless of the age of**
 43 **the person who holds the card.**

44 (9) Identification cards shall be renewed under the terms for renewal of licenses as set forth in
 45 ORS 807.150.

1 (10) The fee for an original identification card or a renewal thereof shall be the fee established
2 under ORS 807.410.

3 (11) An identification card becomes invalid if the holder of the card changes the holder's resi-
4 dence address from that shown on the identification card and does not provide the department with
5 notice of the change as required under ORS 807.420.

6 (12) If a person to whom an identification card was issued and who changes the person's resi-
7 dence address appears in person at a department office that issues identification cards, the depart-
8 ment may do any of the following:

9 (a) Issue a replacement identification card containing the new address upon receipt of the old
10 identification card and payment of the fee established for issuing a replacement identification card
11 with a changed address under ORS 807.410. Except as otherwise provided in subsection (14) of this
12 section, the replacement identification card shall bear the same distinguishing number as the card
13 being replaced.

14 (b) Note the new address on the old identification card in a manner to be determined by the
15 department by rule.

16 (13) An identification card becomes invalid if the holder of the card changes the holder's name
17 from that shown on the card, including a change of name by marriage, without providing the de-
18 partment with notice of the change as required under ORS 807.420. Upon receiving such notice and
19 the old identification card, the department shall issue a replacement identification card upon pay-
20 ment of the fee required under ORS 807.410.

21 (14) In the event that, for a reason identified by the department by rule, a person needs a re-
22 placement identification card that bears a distinguishing number different from the number on the
23 card being replaced, the person to whom the card was issued may obtain a replacement card from
24 the department upon furnishing proof satisfactory to the department of the need for such replace-
25 ment and payment of the replacement fee under ORS 807.410.

26 (15) If a person furnishes proof that the person is a veteran, as defined in ORS 408.225, and the
27 person's identification card does not include the fact that the person is a veteran, the department
28 shall issue a replacement identification card that includes the fact that the person is a veteran.

29 (16) The department may establish by rule reasons for issuing replacement identification cards
30 that are in addition to the reasons identified in subsections (12) to (15) of this section. The fee for
31 a replacement identification card is provided under ORS 807.410.

32 (17) Upon cancellation of an identification card, the card is terminated and must be surrendered
33 to the department. An identification card may be canceled for any of the reasons that driving priv-
34 ileges or a driver license may be canceled under ORS 809.310. The department may reissue an
35 identification card canceled under this subsection when the applicant has satisfied all requirements
36 for the identification card.

37 (18) Notwithstanding any other provision of this section, the department may issue an identifi-
38 cation card to a person under this subsection without charge when the person surrenders the
39 person's driver license or driver permit to the department for reasons described in this subsection.
40 If the department issues an identification card under this subsection, the identification card shall
41 expire at the same time as the surrendered driver license or driver permit would have expired. An
42 identification card issued under this subsection is subject to the same requirements and fees for
43 renewal or upon expiration as any other identification card issued under this section. The depart-
44 ment may issue identification cards under this subsection for any of the following reasons:

45 (a) The person voluntarily surrenders the person's driver license or driver permit to the de-

1 partment based upon the person's recognition that the person is no longer competent to drive.

2 (b) The person's driving privileges are suspended under ORS 809.419 (1). This paragraph only
3 applies if the person voluntarily surrenders the person's driver license or driver permit to the de-
4 partment as provided under ORS 809.500.

5 **SECTION 4. The amendments to ORS 807.130 and 807.150 by sections 1 and 2 of this 2015**
6 **Act apply to driver licenses that expire on or after the effective date of this 2015 Act.**

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