

Senate Bill 943

Sponsored by Senator OLSEN; Senators BAERTSCHIGER JR, FERRIOLI, HANSELL, JOHNSON, KNOPP, MONROE, SHIELDS, THATCHER, THOMSEN, WHITSETT, Representatives BARRETO, KENNEMER, NEARMAN, PARRISH

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**.

Prohibits counties and districts from imposing vehicle registration fee on vehicles registered to employment address when registered owner's residence address is not in same county as employment address.

Permits Department of Transportation to provide notice of vehicle registration renewal by means other than postal address upon request of registered owner.

Expands types of vehicle registration plates that may be transferred to another vehicle.

A BILL FOR AN ACT

1
2 Relating to motor vehicle registration; amending ORS 801.041, 801.042, 802.210, 803.450 and 803.530.

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

4 **SECTION 1.** ORS 801.041 is amended to read:

5 801.041. The following apply to the authority granted to counties by ORS 801.040 to establish
6 registration fees for vehicles:

7 (1) An ordinance establishing registration fees under this section must be enacted by the county
8 imposing the registration fee and filed with the Department of Transportation. Notwithstanding
9 ORS 203.055 or any provision of a county charter, the governing body of a county with a population
10 of 350,000 or more may enact an ordinance establishing registration fees. The governing body of a
11 county with a population of less than 350,000 may enact an ordinance establishing registration fees
12 after submitting the ordinance to the electors of the county for their approval. The governing body
13 of the county imposing the registration fee shall enter into an intergovernmental agreement under
14 ORS 190.010 with the department by which the department shall collect the registration fees, pay
15 them over to the county and, if necessary, allow the credit or credits described in ORS 803.445 (5).
16 The intergovernmental agreement must state the date on which the department shall begin collect-
17 ing registration fees for the county.

18 (2) The authority granted by this section allows the establishment of registration fees in addition
19 to those described in ORS 803.420. There is no authority under this section to affect registration
20 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-
21 tration under the vehicle code.

22 (3) Except as otherwise provided for in this subsection, when registration fees are imposed under
23 this section, they must be imposed on all vehicle classes. Registration fees as provided under this
24 section may not be imposed on the following:

- 25 (a) Snowmobiles and Class I all-terrain vehicles.
26 (b) Fixed load vehicles.
27 (c) Vehicles registered under ORS 805.100 to disabled veterans.
28 (d) Vehicles registered as antique vehicles under ORS 805.010.

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 (e) Vehicles registered as vehicles of special interest under ORS 805.020.

2 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.

3 (g) School buses or school activity vehicles registered under ORS 805.050.

4 (h) Law enforcement undercover vehicles registered under ORS 805.060.

5 (i) Vehicles registered on a proportional basis for interstate operation.

6 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10)
7 or (11).

8 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.

9 (L) Travel trailers, campers and motor homes.

10 **(m) Vehicles registered to an employment address as provided in ORS 802.250 when the**
11 **eligible public employee or household member's residence address is not within the county**
12 **of the employment address. The department may adopt rules it considers necessary for the**
13 **administration of this paragraph.**

14 (4) Any registration fee imposed by a county must be a fixed amount not to exceed, with respect
15 to any vehicle class, the registration fee established under ORS 803.420 (1). For vehicles on which
16 a flat fee is imposed under ORS 803.420, the fee must be a whole dollar amount.

17 (5) Moneys from registration fees established under this section must be paid to the county es-
18 tablishing the registration fees as provided in ORS 802.110. The county ordinance shall provide for
19 payment of at least 40 percent of the moneys to cities within the county unless a different distrib-
20 ution is agreed upon by the county and the cities within the jurisdiction of the county. The moneys
21 for the cities and the county shall be used for any purpose for which moneys from registration fees
22 may be used, including the payment of debt service and costs related to bonds or other obligations
23 issued for such purposes.

24 (6) Two or more counties may act jointly to impose a registration fee under this section. The
25 ordinance of each county acting jointly with another under this subsection must provide for the
26 distribution of moneys collected through a joint registration fee.

27 **SECTION 2.** ORS 801.042 is amended to read:

28 801.042. The following apply to the authority granted to a district by ORS 801.040 to establish
29 registration fees for vehicles:

30 (1) Before the governing body of a district can impose a registration fee under this section, it
31 must submit the proposal to the electors of the district for their approval and, if the proposal is
32 approved, enter into an intergovernmental agreement under ORS 190.010 with the governing bodies
33 of all counties, other districts and cities with populations of over 300,000 that overlap the district.
34 The intergovernmental agreement must state the registration fees and, if necessary, how the revenue
35 from the fees shall be apportioned among counties and the districts. Before the governing body of
36 a county can enter into such an intergovernmental agreement, the county shall consult with the
37 cities in its jurisdiction.

38 (2) If a district raises revenues from a registration fee for purposes related to highways, roads,
39 streets and roadside rest areas, the governing body of that district shall establish a Regional Ar-
40 terial Fund and shall deposit in the Regional Arterial Fund all such registration fees.

41 (3) Interest received on moneys credited to the Regional Arterial Fund shall accrue to and be-
42 come a part of the Regional Arterial Fund.

43 (4) The Regional Arterial Fund must be administered by the governing body of the district re-
44 ferred to in subsection (2) of this section and such governing body by ordinance may disburse mon-
45 eys in the Regional Arterial Fund. Moneys within the Regional Arterial Fund may be disbursed only

1 for a program of projects recommended by a joint policy advisory committee on transportation
 2 consisting of local officials and state agency representatives designated by the district referred to
 3 in subsection (2) of this section. The projects for which the joint policy advisory committee on
 4 transportation can recommend funding must concern arterials, collectors or other improvements
 5 designated by the joint policy advisory committee on transportation.

6 (5) Ordinances establishing registration fees under this section must be filed with the Depart-
 7 ment of Transportation. The governing body of the district imposing the registration fee shall enter
 8 into an intergovernmental agreement under ORS 190.010 with the department by which the depart-
 9 ment shall collect the registration fees, pay them over to the district and, if necessary, allow the
 10 credit or credits described in ORS 803.445 (5). The intergovernmental agreement must state the date
 11 on which the department shall begin collecting registration fees for the district.

12 (6) The authority granted by this section allows the establishment of registration fees in addition
 13 to those described in ORS 803.420. There is no authority under this section to affect registration
 14 periods, qualifications, cards, plates, requirements or any other provision relating to vehicle regis-
 15 tration under the vehicle code.

16 (7) Except as otherwise provided for in this subsection, when registration fees are imposed under
 17 this section, the fees must be imposed on all vehicle classes. Registration fees as provided under this
 18 section may not be imposed on the following:

19 (a) Snowmobiles and Class I all-terrain vehicles.

20 (b) Fixed load vehicles.

21 (c) Vehicles registered under ORS 805.100 to disabled veterans.

22 (d) Vehicles registered as antique vehicles under ORS 805.010.

23 (e) Vehicles registered as vehicles of special interest under ORS 805.020.

24 (f) Government-owned or operated vehicles registered under ORS 805.040 or 805.045.

25 (g) School buses or school activity vehicles registered under ORS 805.050.

26 (h) Law enforcement undercover vehicles registered under ORS 805.060.

27 (i) Vehicles registered on a proportional basis for interstate operation.

28 (j) Vehicles with a registration weight of 26,001 pounds or more described in ORS 803.420 (10)
 29 or (11).

30 (k) Vehicles registered as farm vehicles under the provisions of ORS 805.300.

31 (L) Travel trailers, campers and motor homes.

32 **(m) Vehicles registered to an employment address as provided in ORS 802.250 when the**
 33 **eligible public employee or household member's residence address is not within the county**
 34 **of the employment address. The department may adopt rules it considers necessary for the**
 35 **administration of this paragraph.**

36 (8) Any registration fee imposed by the governing body of a district must be a fixed amount not
 37 to exceed, with respect to any vehicle class, the registration fee established under ORS 803.420 (1).
 38 For vehicles on which a flat fee is imposed under ORS 803.420, the fee must be a whole dollar
 39 amount.

40 **SECTION 3.** ORS 803.450 is amended to read:

41 803.450. (1) The Department of Transportation shall notify the registered owner of a vehicle
 42 registered by this state of the approaching expiration of the vehicle's registration. The notice re-
 43 quired by this subsection shall comply with all of the following:

44 (a) The notice shall be mailed to the owner of the vehicle at the **postal** address shown in de-
 45 partment records. **Upon request of the registered owner the department may provide notice**

1 **by electronic mail or other means.**

2 (b) The notice shall be [*mailed*] **provided** a reasonable time before expiration date of the regis-
3 tration.

4 (2) The department shall not be required to notify the registered owner of an approaching ex-
5 piration if the department has reason to believe:

6 (a) The vehicle has been sold, wrecked or stolen;

7 (b) The registered owner is ineligible to renew the registration;

8 (c) There is a dispute with regard to the title of the vehicle; or

9 (d) The registered owner failed to notify the department of a change of address as required by
10 ORS 803.220.

11 (3) Failure to receive notice of expiration from the department is not a defense to a charge of
12 driving with an expired vehicle registration. However, the court may dismiss the charge if the owner
13 registers the vehicle before the scheduled court appearance.

14 (4) Department records concerning notice under this section are subject to ORS 802.210.

15 **SECTION 4.** ORS 802.210 is amended to read:

16 802.210. The Department of Transportation is not required to maintain records on any of the
17 following:

18 (1) The preparation and [*mailing*] **sending** of notices required on approaching expiration of
19 registration under ORS 803.450.

20 (2) The preparation and mailing of notices required on approaching expiration of driver license
21 or driver permit under ORS 807.140.

22 **SECTION 5.** ORS 803.530 is amended to read:

23 803.530. Registration plates assigned to a vehicle by the Department of Transportation shall
24 remain with the vehicle to which the plates are assigned and are valid only during the registration
25 period for which the plates are issued except as provided in the following:

26 (1) The department may allow registration plates to be transferred to another vehicle upon re-
27 cept of an application and payment of a plate transfer fee under ORS 803.575 in addition to any
28 required registration fee. The department shall transfer registration plates under this subsection
29 unless the department determines that the plates are:

30 (a) So old, damaged, mutilated or otherwise rendered illegible as to be not useful for purposes
31 of identification; or

32 (b) Not any of the following:

33 (A) From a current issue of registration plates;

34 (B) Customized registration plates described under ORS 805.240;

35 (C) Oregon Trail commemorative registration plates issued under section 113, chapter 741,
36 Oregon Laws 1993; or

37 (D) Special registration plates issued under ORS 805.255, 805.260, [*or*] 805.263 **or 805.266[.]; or**

38 **(E) Special group registration plates issued under ORS 805.205.**

39 (2) The owner of a registered vehicle to which a plate is assigned may replace a registration
40 plate that is illegally altered or that is lost, destroyed or mutilated in a manner that renders illeg-
41 ible any identification on the plate. The following apply to this subsection:

42 (a) To replace a plate under this subsection, the owner must apply to the department for re-
43 placement of the damaged or lost plate in a form prescribed by the department and pay the re-
44 placement plate fee established under ORS 803.575.

45 (b) The application must state the facts of the damage, destruction or loss of the plate.

1 (c) The department, in lieu of replacement, may issue duplicate plates for the same fee as
2 charged for replacements.

3 (d) The plates issued under this subsection are valid only for the period of the plates replaced.

4 (3) This section does not apply to special interest registration plates approved under ORS
5 805.210.

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