

D R A F T

SUMMARY

Provides that, in prosecutions for violation of city motor vehicle parking ordinances, defendant may not be required to pay fine or bail amount before requesting hearing or submitting explanation to court.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to prosecutions for violation of city motor vehicle parking ordi-
3 nances; creating new provisions; amending ORS 221.333; and declaring an
4 emergency.

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

6 **SECTION 1.** ORS 221.333 is amended to read:

7 221.333. (1) In all prosecutions for violation of motor vehicle parking or-
8 dinances in cities, it shall be sufficient to charge the defendant by an un-
9 sworn written notice if the notice clearly states:

10 (a) The date, place and nature of the charge.

11 (b) The time and place for defendant's appearance in court.

12 (c) The name of the issuing officer or other person authorized to issue the
13 notice.

14 (d) The license number of the vehicle.

15 (2) The notice provided for in subsection (1) of this section shall either
16 be delivered to the defendant or placed in a conspicuous place upon the ve-
17 hicle involved in the violation. A duplicate original of the notice shall serve
18 as the complaint in the case when it is filed with the court. In all other re-
19 spects the procedure now provided by law in such cases shall be followed,
20 but ORS 810.365 does not apply. The officer or person authorized to issue a

1 citation need not have observed the act of parking, but need only have ob-
2 served that the car was parked in violation of city ordinances.

3 **(3) In all prosecutions for violation of motor vehicle parking ordi-**
4 **nances in cities, the defendant may not be required to pay the fine**
5 **imposed or a bail amount before the defendant may request a hearing**
6 **or submit a written explanation to the court.**

7 **SECTION 2. The amendments to ORS 221.333 by section 1 of this**
8 **2019 Act apply to citations issued on or after the effective date of this**
9 **2019 Act.**

10 **SECTION 3. This 2019 Act being necessary for the immediate pres-**
11 **ervation of the public peace, health and safety, an emergency is de-**
12 **clared to exist, and this 2019 Act takes effect on its passage.**

13
