

# D R A F T

## SUMMARY

Requires vehicle dealers who conduct vehicle auction under certain circumstances to prepare and submit documents necessary to issue or transfer certificate of title for vehicle sold.

### A BILL FOR AN ACT

Relating to vehicle dealers; creating new provisions; and amending ORS 822.043.

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

**SECTION 1.** ORS 822.043 is amended to read:

822.043. (1) As used in this section:

(a) “Integrator” has the meaning given that term in ORS 802.600.

(b) “Vehicle dealer” means a person issued a vehicle dealer certificate under ORS 822.020.

(2) A vehicle dealer may elect to prepare, submit, or prepare and submit documents necessary to:

(a) Issue or transfer a certificate of title for a vehicle;

(b) Register a vehicle or transfer registration of a vehicle;

(c) Issue a registration plate;

(d) Verify and clear a title;

(e) Perfect, release or satisfy a lien or other security interest;

(f) Comply with federal security requirements; or

(g) Render any other services for the purpose of complying with state and federal laws related to the sale of a vehicle.

**(3) If a vehicle dealer conducts a vehicle auction that is open to the**

1 **public and the vehicle dealer sells a vehicle to a resident of this state,**  
2 **as described in ORS 807.062, who is not a vehicle dealer, then the ve-**  
3 **hicle dealer shall prepare and submit documents necessary to issue or**  
4 **transfer a certificate of title for the vehicle.**

5 ~~[(3)]~~ **(4)** A vehicle dealer who prepares any documents described in sub-  
6 section (2) **or (3)** of this section:

7 (a) May charge a purchaser of a vehicle a document processing fee for the  
8 preparation of those documents.

9 (b) May not charge a purchaser of a vehicle a document processing fee  
10 for the submission of any document or the issuance of a registration plate.

11 (c) May charge a purchaser of a vehicle a document processing fee for  
12 performing any of the services described in subsection (2) **or (3)** of this sec-  
13 tion in connection with preparing the documents described in subsection (2)  
14 **or (3)** of this section.

15 ~~[(4)]~~ **(5)** A purchaser of a vehicle may negotiate the amount of the docu-  
16 ment processing fee with a vehicle dealer, but in no case shall the document  
17 processing fee charged by a vehicle dealer under this section exceed:

18 (a) \$150, if the vehicle dealer uses an integrator; or

19 (b) \$115, if the vehicle dealer does not use an integrator.

20 ~~[(5)]~~ **(6)** If a vehicle dealer charges a document processing fee under sub-  
21 section ~~[(4)(a)]~~ **(5)(a)** of this section, of the amount collected \$25 shall be  
22 paid to the integrator.

23 ~~[(6)]~~ **(7)** Unless otherwise provided by rule, if a vehicle dealer uses an  
24 integrator and charges a document processing fee greater than that charged  
25 for not using an integrator, the dealer must inform the purchaser of the ve-  
26 hicle of the option of using an integrator to prepare the documents. The  
27 purchaser may then elect whether or not to have the vehicle dealer use an  
28 integrator to prepare the documents.

29 ~~[(7)]~~ **(8)** If the purchaser of a vehicle pays a document processing fee, the  
30 vehicle dealer shall prepare and submit all documents to complete the  
31 transaction as permitted by law.

1        **SECTION 2. The amendments to ORS 822.043 by section 1 of this**  
2        **2017 Act apply to vehicles sold on or after the effective date of this 2017**  
3        **Act.**

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