

**SB 36 A STAFF MEASURE SUMMARY**  
**House Committee On Transportation Policy**

**Carrier:** Rep. Vial

**Action Date:** 05/03/17

**Action:** Do pass with amendments to resolve conflicts. (Printed A-Eng.)

**Vote:** 8-0-1-0

**Yeas:** 8 - Evans, McKeown, McLain, Meek, Noble, Vial, Wilson, Witt

**Exc:** 1 - Barreto

**Fiscal:** Has minimal fiscal impact

**Revenue:** Revenue impact issued

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**WHAT THE MEASURE DOES:**

Specifies that the Oregon Department of Transportation may waive, by rule, the requirement that a person seeking a motorcycle endorsement to operate a three-wheeled motorcycle pass a skills test. Deletes the requirement for driver license or permit applicants to provide information about permits issued to them previously or about previous suspension or revocation of driving privileges. Adds the terms "limited term commercial driver license" and "limited term commercial learner driver permit" to clarify the applicability of citizenship requirements to certain commercial driver licenses and commercial learner driver permits. Declares an emergency, effective upon passage.

**ISSUES DISCUSSED:**

- Difference in operation of three-wheeled motorcycle and two-wheeled motorcycle
- Measure waives the skills portion of the test for three-wheeled motorcycle
- Deletes requirement for submission of redundant information available from Problem Driver Pointer System
- Ability to license commercial drivers domiciled in a foreign country on a limited basis
- Current citizenship and proof of legal presence precludes Driver and Motor Vehicle Services Division from issuing "limited term commercial driver license" or "limited term commercial learner driver permit."

**EFFECT OF AMENDMENT:**

Adds the terms "limited term commercial driver license" and "limited term commercial learner driver permit" to clarify the applicability of citizenship requirements to certain commercial driver licenses and commercial learner driver permits. Resolves effective date issues with SB 37 (2017). Adds emergency clause.

**BACKGROUND:**

The Driver and Motor Vehicle Services Division (DMV) of the Oregon Department of Transportation (ODOT) is responsible for licensing persons to operate motor vehicles on Oregon's public road system. For persons wanting to operate a motorcycle, however, an additional skills test is required; however, legislation enacted in 2009 phased out the DMV-administered skills test in lieu of completion of an ODOT-approved motorcycle training course. A restricted motorcycle endorsement is offered through DMV for persons wanting to operate a three-wheeled motorcycle, as such vehicles operate differently than two-wheeled motorcycles.

Currently, the approved course is offered through Team Oregon, an outreach program of Oregon State University's College of Public Health and Human Sciences. According to its website, Team Oregon has provided training to over 180,000 riders through both written and practical skills tests. However, Team Oregon does not provide training for operation of three-wheeled motorcycles, meaning that DMV currently is required to administer the practical skills test for persons seeking a motorcycle endorsement in order to operate a three-wheeled motorcycle.

Senate Bill 36-A authorizes ODOT to waive, by rule, the practical skills requirement for a restricted motorcycle endorsement. Senate Bill 36-A also deletes existing statutory requirements for license and permit applicants to provide information to DMV regarding previous licenses or permits obtained, either in Oregon or another

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jurisdiction. ODOT has indicated that because it regularly checks a national database (the Problem Driver Pointer System, or PDPS) for restrictions in other states, any such information provided by the applicant is superfluous.

Under current statute, a commercial driver who is not an United States citizen, or who cannot provide proof of legal presence, is not eligible for a limited term commercial driver license or limited term commercial learner driver permit. A heavy truck manufacturer maintains a research and development facility in Oregon and has engineers, who are also licensed as commercial drivers in their country of citizenship, that are involved in the research and development of heavy trucks. The engineers are often deployed to Oregon on a temporary basis and may not be able to prove legal presence, but are still required to have a valid commercial driver license to legally drive in Oregon. This measure provides a methodology for these drivers to possess a valid limited term commercial driver license or limited term commercial learner driver permit.