

HOUSE AMENDMENTS TO HOUSE BILL 3338

By COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

April 21

1 In line 2 of the printed bill, before the period insert “and 646.963”.

2 After line 16, insert:

3 “**SECTION 2.** ORS 646.963 is amended to read:

4 “646.963. (1) In addition to any other liability or penalty provided by law, the Director of Agri-
5 culture may impose a civil penalty as provided in subsection (3) of this section on any person who
6 violates any provision of ORS **646.932**, 646.947, 646.949 or 646.953, rules adopted under ORS 646.957
7 or orders issued under ORS 646.953.

8 “(2) Any civil penalty under subsection (1) of this section shall be imposed in the manner pro-
9 vided by ORS 183.745.

10 “(3) The director may impose civil penalties that are:

11 “(a) Not more than \$500 for a first violation.

12 “(b) Not more than \$2,500 for a second violation within two years from the date of the first vi-
13 olation.

14 “(c) Not more than \$10,000 for a third violation within two years from the date of the first vio-
15 lation.

16 “(4) In imposing a penalty under subsection (3) of this section, the director shall consider the
17 following factors:

18 “(a) The gravity of the violation.

19 “(b) The scope of the violation.

20 “(c) The past history of the person incurring the penalty.

21 “(d) In the case of a penalty to be imposed on a retail dealer or nonretail dealer, the degree of
22 knowledge by the dealer of the violation.

23 “(5) Civil penalties collected shall be deposited into the Motor Vehicle Fuel Inspection Program
24 Account.”.

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