

A-Engrossed
Senate Bill 35

Ordered by the Senate February 22
Including Senate Amendments dated February 22

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for Department of Transportation)

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.

Increases threshold amount that must be met before person is required to submit motor vehicle accident report.

A BILL FOR AN ACT

1
2 Relating to motor vehicle accident reports; creating new provisions; and amending ORS 811.720 and
3 811.745.

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

5 **SECTION 1.** ORS 811.720 is amended to read:

6 811.720. (1) Except as provided in subsection (4) of this section, any accident occurring on a
7 highway or upon premises open to the public resulting in injury or death to any person is subject
8 to the reporting requirements under the following sections:

9 (a) The reporting requirements for drivers under ORS 811.725.

10 (b) The reporting requirements for occupants of vehicles in accidents under ORS 811.735.

11 (c) The reporting requirements for owners of vehicles under ORS 811.730.

12 (2) Except as provided in subsection (4) of this section, an accident occurring on a highway or
13 upon premises open to the public resulting in damage to the property of any person in excess of
14 [*\$1,500*] **\$2,500** is subject to the following reporting requirements:

15 (a) The driver of a vehicle that has more than [*\$1,500*] **\$2,500** damage must report the accident
16 in the manner specified under ORS 811.725.

17 (b) The owner of a vehicle that has more than [*\$1,500*] **\$2,500** damage must report the accident
18 in the manner specified in ORS 811.730 and under the circumstances specified in ORS 811.730.

19 (c) If the property damage is to property other than a vehicle involved in the accident, each
20 driver involved in the accident must report the accident in the manner specified under ORS 811.725
21 and each owner of a vehicle involved in the accident must report the accident in the manner spec-
22 ified in ORS 811.730 and under the circumstances specified in ORS 811.730.

23 (d) If a vehicle involved in the accident is damaged to the extent that the vehicle must be towed
24 from the scene of the accident, each driver involved in the accident must report the accident in the
25 manner specified under ORS 811.725 and each owner of a vehicle involved in the accident must re-
26 port the accident in the manner specified in ORS 811.730 and under the circumstances specified in
27 ORS 811.730.

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 (3) The dollar amount specified in subsection (2) of this section may be increased every five
2 years by the Department of Transportation based upon any increase in the Portland-Salem Consumer
3 Price Index for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics
4 of the United States Department of Labor or its successor during the preceding 12-month period.
5 The amount determined under this subsection shall be rounded to the nearest \$100.

6 (4) The following are exempt from the reporting requirements of this section:

7 (a) Operators of snowmobiles, Class I all-terrain vehicles or Class III all-terrain vehicles.

8 (b) A law enforcement official acting in the course of official duty if the accident involved a law
9 enforcement official performing a lawful intervention technique or a law enforcement official and a
10 person acting during the commission of a criminal offense. As used in this paragraph:

11 (A) "Law enforcement official" means a person who is responsible for enforcing the criminal
12 laws of this state or a political subdivision of this state and who is employed or volunteers:

13 (i) As a peace officer commissioned by a city, university that has established a police department
14 under ORS 352.121 or 353.125, port, school district, mass transit district, county or county service
15 district authorized to provide law enforcement services under ORS 451.010;

16 (ii) With the Department of State Police or the Criminal Justice Division of the Department of
17 Justice;

18 (iii) As an investigator of a district attorney's office, if the investigator is certified as a peace
19 officer in this state; or

20 (iv) As an authorized tribal police officer as defined in ORS 181A.680.

21 (B) "Lawful intervention technique" means a method by which one motor vehicle causes, or at-
22 tempts to cause, another motor vehicle to stop.

23 **SECTION 2.** ORS 811.745 is amended to read:

24 811.745. (1) Except as provided in subsection (4) of this section, any accident occurring on a
25 highway or upon premises open to the public resulting in injury or death to any person is subject
26 to the reporting requirements under the following sections:

27 (a) The reporting requirements for drivers under ORS 811.748.

28 (b) The reporting requirements for occupants of vehicles in accidents under ORS 811.750.

29 (2) Except as provided in subsection (4) of this section, an accident occurring on a highway or
30 upon premises open to the public resulting in damage to the property of any person in excess of
31 ~~[\$1,500]~~ **\$2,500** is subject to the following reporting requirements:

32 (a) The driver of a vehicle that has more than ~~[\$1,500]~~ **\$2,500** damage must report the accident
33 in the manner specified under ORS 811.748.

34 (b) If the property damage is to property other than a vehicle involved in the accident, each
35 driver involved in the accident must report the accident in the manner specified under ORS 811.748.

36 (c) If a vehicle involved in the accident is damaged to the extent that the vehicle must be towed
37 from the scene of the accident, each driver involved in the accident must report the accident in the
38 manner specified under ORS 811.748.

39 (3) The dollar amount specified in subsection (2) of this section may be increased every five
40 years by the Department of Transportation based upon any increase in the Portland-Salem Consumer
41 Price Index for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics
42 of the United States Department of Labor or its successor during the preceding 12-month period.
43 The amount determined under this subsection shall be rounded to the nearest \$100.

44 (4) The following are exempt from the reporting requirements of this section:

45 (a) Operators of snowmobiles and Class I, Class III and Class IV all-terrain vehicles.

1 (b) A law enforcement official acting in the course of official duty if the accident involved a law
2 enforcement official performing a lawful intervention technique or involved a law enforcement offi-
3 cial and a person acting during the commission of a criminal offense. As used in this paragraph:

4 (A) "Law enforcement official" means a person who is responsible for enforcing the criminal
5 laws of this state or a political subdivision of this state and who is employed or volunteers:

6 (i) As a peace officer commissioned by a city, port, university that has established a police de-
7 partment under ORS 352.121 or 353.125, school district, mass transit district, county or service dis-
8 trict authorized to provide law enforcement services under ORS 451.010;

9 (ii) With the Department of State Police or the Criminal Justice Division of the Department of
10 Justice; or

11 (iii) As an investigator of a district attorney's office, if the investigator is certified as a peace
12 officer in this state.

13 (B) "Lawful intervention technique" means a method by which one motor vehicle causes, or at-
14 tempts to cause, another motor vehicle to stop.

15 (5) The reporting requirements under this section are in addition to, and not in lieu of, the re-
16 porting requirements under ORS 811.720.

17 **SECTION 3. The amendments to ORS 811.720 and 811.745 by sections 1 and 2 of this 2017**
18 **Act apply to motor vehicle accidents that occur on or after the effective date of this 2017**
19 **Act.**