

Senate Bill 36

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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 **as introduced**.

Provides that Department of Transportation may waive skills test for person seeking motorcycle endorsement to operate three-wheeled motorcycle.

Eliminates requirement to submit certain information on application for driver license.

A BILL FOR AN ACT

Relating to driving privileges; creating new provisions; and amending ORS 807.050 and 807.072.

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

SECTION 1. ORS 807.072 is amended to read:

807.072. (1) The Department of Transportation, by rule, may waive any examination, test or demonstration required under ORS 807.065 (1)(b) or 807.070 (2) or (3) if the department receives satisfactory proof that the person required to take the examination, test or demonstration has passed an examination, test or demonstration approved by the department that:

(a) Is given in conjunction with a traffic safety education course certified by the department under ORS 336.802;

(b) Is given in conjunction with a motorcycle rider education course established under ORS 802.320;

(c) Is given in conjunction with a course conducted by a commercial driver training school certified by the department under ORS 822.515; or

(d) Is given in conjunction with an application for a special limited vision condition learner's permit under ORS 807.359.

(2) The department, by rule, may waive the actual demonstration required under ORS 807.070 (3) for a person who is applying for a commercial driver license or a Class C license if the person holds a valid out-of-state license or applies for an Oregon license within one year of the expiration of a valid out-of-state license. A demonstration may be waived under this subsection only if the person has applied for the same driving privileges as those granted under the person's out-of-state license or for privileges granted by a lower class of license.

(3) The department may waive the actual demonstration required under ORS 807.070 for a person who is applying for a commercial driver license or for an endorsement related to a commercial driver license if the person submits to the department a certificate of competency issued under ORS 807.080 for the class of license or for the endorsement sought or under other circumstances, established by the department by rule, that establish the person's ability to drive without an actual demonstration.

(4) The department may issue a Class A farm endorsement without requiring additional tests to a person who has a Class C driver license if a farm employer or a self-employed farmer certifies to

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 the department that the person is experienced in driving a vehicle that may be driven only by per-
 2 sons who have a Class A commercial driver license and the person's two-part driving record does
 3 not show either a traffic accident within two years of the date of application for the endorsement
 4 or a conviction for one of the following traffic crimes within five years of the date of application for
 5 the endorsement:

6 (a) Reckless driving, as defined in ORS 811.140.

7 (b) Driving while under the influence of intoxicants, as defined in ORS 813.010.

8 (c) Failure to perform the duties of a driver involved in an accident or collision, as described
 9 in ORS 811.700 or 811.705.

10 (d) Criminal driving while suspended or revoked, as defined in ORS 811.182.

11 (e) Fleeing or attempting to elude a police officer, as defined in ORS 811.540.

12 (5) The department may issue a Class B farm endorsement without requiring additional tests to
 13 a person who has a Class C driver license if a farm employer or a self-employed farmer certifies to
 14 the department that the person is experienced in driving a vehicle that may be driven only by per-
 15 sons who have a Class B commercial driver license and the person's two-part driving record does
 16 not show either a conviction for a traffic crime specified in subsection (4) of this section within five
 17 years of the date of application for the endorsement or a traffic accident within two years of the
 18 date of application for the endorsement.

19 (6) The department by rule may establish other circumstances under which a farm endorsement
 20 may be issued without an actual demonstration. The authority granted by this subsection includes,
 21 but is not limited to, authority to adopt rules specifying circumstances under which the endorsement
 22 may be granted to a person despite the appearance of traffic accidents on the person's record.

23 (7) The department by rule may waive the test required under ORS 807.070 (2) for a person who
 24 applies for a motorcycle endorsement if the person:

25 (a) Holds a valid out-of-state driver license that authorizes the person to operate a motorcycle;

26 or

27 (b) Applies for a motorcycle endorsement within one year after the expiration date of a valid
 28 out-of-state driver license that authorizes the person to operate a motorcycle.

29 **(8) The department by rule may waive the actual demonstration required under ORS**
 30 **807.070 (3) for a person who is applying for a restricted motorcycle endorsement that only**
 31 **authorizes the person to operate a motorcycle with more than two wheels.**

32 **SECTION 2.** ORS 807.050 is amended to read:

33 807.050. An application for a license shall be in a form approved by the Oregon Department of
 34 Transportation. An application must contain all the following:

35 (1) The applicant's full legal name, age, sex, residence address, except as otherwise provided for
 36 corrections officers in ORS 802.253, eligible employees in ORS 802.250 or Address Confidentiality
 37 Program participants in ORS 192.846, and post-office address other than general delivery. The de-
 38 partment may provide by rule for acceptance of something other than an actual residence or post-
 39 office address if the department determines that the applicant does not have an actual address. The
 40 department shall require proof to verify the address in addition to anything else the department may
 41 require of the applicant. The department shall adopt rules to identify what constitutes proof of ad-
 42 dress for purposes of this subsection. Verification of proof of address may include, but is not limited
 43 to, providing a utility bill, a tax return, a record from a financial institution, a proof of insurance
 44 card or a health benefits card, a selective service card, a mortgage document or a lease agreement.
 45 The applicant may provide the proof of address by submitting proof in the form of an original doc-

1 ument or a copy of a document, use an electronic device to display proof of address, or provide proof
2 through the use of a third party address verification system.

3 [(2) *Whether or not the applicant has ever been issued any driver license or driver permit. If the*
4 *applicant has been issued any license or driver permit:*]

5 [(a) *When the license or driver permit was granted;*]

6 [(b) *What jurisdiction granted the license or driver permit;*]

7 [(c) *Whether or not the driving privileges under the license or driver permit are currently sus-*
8 *pending or revoked; and*]

9 [(d) *If the driving privileges are revoked or suspended, the date and reason for the suspension or*
10 *revocation.*]

11 [(3)] (2) The class of license sought.

12 [(4)] (3) The Social Security number of the applicant or other number or identifying information
13 determined appropriate by the Secretary of the United States Department of Transportation, if the
14 application is for a commercial driver license or a commercial learner driver permit or if the Oregon
15 Department of Transportation by rule requires the Social Security number on the application.

16 [(5)] (4) Whether or not the applicant wants to make an anatomical gift, as defined in ORS
17 97.953.

18 [(6)] (5) Any other information the department deems necessary to assist the department in de-
19 termining whether the applicant is qualified or eligible to be licensed.

20 **SECTION 3. (1) The amendments to ORS 807.072 by section 1 of this 2017 Act apply to**
21 **persons applying for a motorcycle endorsement on or after the effective date of this 2017 Act.**

22 **(2) The amendments to ORS 807.050 by section 2 of this 2017 Act apply to application**
23 **forms submitted on or after the effective date of this 2017 Act.**

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