

## **SB 113 A STAFF MEASURE SUMMARY**

### **Senate Committee On Rules**

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**Prepared By:** Josh Nasbe, Counsel

**Meeting Dates:** 5/22

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#### **WHAT THE MEASURE DOES:**

Authorizes lawsuit against vehicle dealer and dealer's surety, if dealer engages in fraud, or otherwise violates vehicle code, in relation to vehicle titling. Allows court to award attorney fees to prevailing plaintiff in lawsuit relating to titling or registration, when defendant fails to comply with written demand that is provided by retail plaintiff more than 60 days before filing of lawsuit.

#### **ISSUES DISCUSSED:**

- Interim work group efforts
- Relation of actions brought under measure to actions brought under Unlawful Trade Practices Act
- Causes of action found in measure
- Use of bond to compensate injured consumer
- Other options for injured consumers

#### **EFFECT OF AMENDMENT:**

No amendment.

#### **BACKGROUND:**

ORS 822.030 provides a cause of action against a vehicle dealer and the dealer's surety, if the dealer engages in fraud, or otherwise violates vehicle code, in relation to vehicle registration, vehicle permits, the transfer or alteration of vehicles or the regulation of vehicle dealers.

Senate Bill 113 A expands the grounds for a lawsuit to include fraud, or violations of the vehicle code, relating to vehicle titling. The bill authorizes the court to award attorney fees in lawsuits relating to titling or registration, if the defendant fails to comply with a written demand provided by the plaintiff at least 60 days in advance of the lawsuit.