

SB 759 STAFF MEASURE SUMMARY

Carrier: Rep. Piluso

House Committee On Judiciary

Action Date: 05/15/19

Action: Do Pass.

Vote: 10-0-1-0

Yeas: 10 - Barker, Bynum, Gorsek, Greenlick, Lewis, Piluso, Power, Sprenger, Stark, Williamson

Exc: 1 - McLane

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Michael Lantz, Counsel

Meeting Dates: 5/2, 5/15

WHAT THE MEASURE DOES:

Gives auction company ability to place lien on vehicles that auction company possesses and stores. Allows auction company to title vehicle in name of auction company if vehicle remains unclaimed after 30 days, or in name of insurance company or 501(c)(3) charitable organization, if company or organization directed auction company to take possession. Defines auction company. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Difficulty of obtaining title for some totaled vehicles
- Department of Justice interpretation of current statute
- Effects of measure

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under Oregon law, certain business entities, such as towers and vehicle repair shops, are entitled to liens on vehicles in particular circumstances. For example, vehicle repair shops may attach liens to vehicles in their possession to secure payment for services rendered.

Senate Bill 759 provides that a national auction company specializing in disposing of totaled vehicles can place a lien on a vehicle that the auction company possesses and stores on its property. It also provides that the auction company may title the vehicle in its name if it is unclaimed after 30 days. The auction company may also title the vehicle in the name of the insurance company or 501(c)(3) charitable organization that directed the auction company to take possession of the vehicle.