House Bill 3379
Sponsored by Representative HOLVEY, Senator PROZANSKI; Representatives DOHERTY, LIVELY, REARDON, WILDE, Senator DEMBROW

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.

Permits local government to license and regulate vehicle-for-hire services and hired drivers. Provides that person may not engage in business as vehicle-for-hire service or provide rides for hire except in accordance with provisions of Act and any ordinance, regulation or other law that applies in jurisdiction in which vehicle-for-hire service operates. Authorizes local government to issue license or other authorization to engage in business as vehicle-for-hire service or provide rides for hire and to charge fees for purposes set forth in ordinance, regulation or other law.

Requires vehicle-for-hire service to keep certain records and to enter into data-sharing agreement with local government if local government ordinance, regulation or other law requires agreement.

Requires individual who applies to become hired driver to submit application with specified information to vehicle-for-hire service. Requires vehicle-for-hire service to forward application to law enforcement agency or other regulatory agency for purpose of conducting criminal background checks. Provides that vehicle-for-hire service may not permit applicant to become hired driver if applicant is not qualified under specified criteria.

Specifies automobile insurance coverage requirements for hired drivers and vehicles for hire. Permits insurers to exclude coverage for activities in which individual engages as hired driver.


Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to requirements for operating vehicles for hire; creating new provisions; amending ORS 646.607; and prescribing an effective date.

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

SECTION 1. As used in sections 1 to 8 of this 2019 Act:

(1) “Digital network” means a method by which a hired driver may use a software application, a website or another Internet-based electronic technology to receive and accept an electronic hail.

(2)(a) “Electronic hail” means a method for requesting a ride for hire by means of a digital network.

(b) “Electronic hail” does not include a request for a ride for hire by means of a voice telephone call.

(3) “Hired driver” means an individual who provides a ride for hire to a member of the public in exchange for compensation.

(4) “Public passenger” means a member of the public who obtains a ride for hire in exchange for compensation.

(5) “Ride for hire” means transportation that a hired driver provides to a public passenger.

(6)(a) “Street hail” means a method for requesting a ride for hire in which a member of the public signals directly to a hired driver using a visible, audible or otherwise physically perceptible signal.

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.

LC 4246
(b) “Street hail” does not include a request for a ride for hire by means of an electronic hail.

(7)(a) “Taxi” means a motor vehicle that:
(A) A hired driver:
(i) Owns, leases, rents or has authorization to use; and
(ii) Actually uses to provide rides for hire to a public passenger who requests the ride for hire by means of an electronic hail, street hail, telephone call or other means;
(B) A taxi company or hired driver insures at all times under a motor vehicle liability insurance policy described in section 6 (2) of this 2019 Act; and
(C) A local government regulates as a taxi under a local ordinance, regulation or other local law.

(b) “Taxi” does not include:
(A) A transportation network vehicle;
(B) A commercial bus, as defined in ORS 801.200; or
(C) A commercial motor vehicle, as defined in ORS 801.208.

(8) “Taxi company” means a corporation, association, partnership, limited liability company, limited liability partnership or other business entity that owns, leases, rents, provides or operates taxis in this state other than as a hired driver.

(9) “Transportation network company” means a corporation, association, partnership, limited liability company, limited liability partnership or other business entity that operates a device, service or facility that enables a member of the public to request a ride for hire by means of an electronic hail.

(10)(a) “Transportation network vehicle” means a motor vehicle that:
(A) A hired driver:
(i) Owns, leases, rents or has authorization to use; and
(ii) Actually uses to provide rides for hire to a public passenger who requests the ride for hire solely by means of an electronic hail;
(B) A transportation network company or hired driver insures under a motor vehicle liability insurance policy described in section 6 (3) of this 2019 Act; and
(C) A local government regulates as a transportation network vehicle under a local ordinance, regulation or other local law.

(b) “Transportation network vehicle” does not include:
(A) A taxi;
(B) A commercial bus, as defined in ORS 801.200; or
(C) A commercial motor vehicle, as defined in ORS 801.208.

(11) “Vehicle for hire” means a taxi, a transportation network vehicle or another vehicle of any description by means of which members of the public may request transportation in exchange for compensation.

(12) “Vehicle-for-hire service” means a taxi company, a transportation network company or a person that otherwise engages in the business of providing vehicles for hire.

SECTION 2. (1)(a) Subject to the requirements set forth in sections 1 to 8 of this 2019 Act, a local government may:
(A) License or otherwise authorize a vehicle-for-hire service to operate, and a hired driver to provide rides for hire, within the local government’s jurisdiction;
(B) Regulate the operations of the vehicle-for-hire service, and a hired driver's provision
of rides for hire, within the local government’s jurisdiction; and

(C) Establish and collect fees or surcharges from the vehicle-for-hire service for purposes the local government specifies in an ordinance, regulation or other local law.

(b) A local government that does not under paragraph (a) of this subsection issue a li-

(c) A local government may not provide a ride for hire, except in accordance with sections 1 to 8 of this 2019 Act and any ordinance, regulation or other law under which a local government issues a license or other authorization to, or otherwise regulates, the vehicle-for-hire service or the hired

(2) A transportation network company may not accept a request from a member of the public to begin a ride for hire, and a hired driver associated with a transportation network company may not begin to provide a ride for hire to a member of the public, unless the transportation network company has a license or other authorization from a local govern-

(3) This section and sections 5, 6 and 7 of this 2019 Act do not prohibit an airport or other transportation district, transportation agency or transportation authority from:

(a) Charging a fee for using property that is subject to the airport’s, district’s, agency’s or authority’s jurisdiction or control;

(b) Designating a location at which a hired driver must begin a ride for hire; or

(c) Requiring the maximum automobile liability insurance coverage allowed by law at all times during which a hired driver is awaiting a request to provide a ride for hire, is providing a ride for hire or is otherwise operating as a hired driver in or on property that is subject to the airport’s, district’s, agency’s or authority’s jurisdiction or control.

SECTION 3. (1) An applicant for a license or other authorization that a local government requires under section 2 (2) of this 2019 Act, at a minimum, shall:

(a) Submit to the local government with the application a certificate or other evidence that the applicant is a business entity that has registered with or received authorization from the Secretary of State to transact business in this state;

(b) List in the application the applicant’s name and street address and the name and street address of the applicant’s registered agent;

(c) Submit with the application a copy of any other business license or authorization, other than a license to operate as a vehicle-for-hire service, that the local government requires to engage in business within the local government’s jurisdiction; and

(d) Pay any fee, charge, surcharge, tax, penalty, fine or other amount the local government requires or, if applicable, that a state agency requires, from the applicant under any ordinance, regulation, rule or other law before the local government issues a license or other authorization to operate as a vehicle-for-hire service.

(2) A local government may specify conditions for issuing any license or other authorization the local government requires under section 2 (2) of this 2019 Act that are in addition
to the conditions set forth in sections 1 to 8 of this 2019 Act. The local government may also
specify regulations for the operation of a vehicle-for-hire service that are in addition to the
regulations specified in sections 1 to 8 of this 2019 Act.

SECTION 4. (1) A vehicle-for-hire service shall:

(a) Maintain, for a period of not less than three years after the date on which a hired
driver provides a ride for hire, a record of the ride for hire with the contents and in the form
or format specified in all applicable local ordinances, regulations or laws. The record, at a
minimum, must:

(A) Specify the date and times at which the ride for hire began and ended and the total
duration of the ride for hire; and

(B) Include any other information that any applicable local ordinance, regulation or other
law requires, such as:

(i) The length of the route that the hired driver followed;

(ii) The zip codes, global positioning system coordinates or other coordinates that identify
the point at which the ride for hire began and the point at which the ride for hire ended;

(iii) The distance the hired driver traveled from the point at which the hired driver be-
came available to accept a request for a ride for hire to the point at which the ride for hire
ended;

(iv) The length of time that a public passenger waited for a ride for hire to begin after
requesting the ride for hire;

(v) The number of rides for hire that members of the public canceled;

(vi) The number of requests for rides for hire that a vehicle-for-hire service or hired
driver refused, along with the dates and times at which the refusals occurred; and

(vii) Whether a member of the public who uses a wheelchair requested the ride for hire.

(b) Maintain a record of each hired driver associated with the vehicle-for-hire service for
a period of not less than seven years after the date on which the hired driver last provided
a ride for hire as an employee of, or under contract with, the vehicle-for-hire service. The
record, at a minimum, must show for each hired driver:

(A) The hired driver's complete legal name and all other names the hired driver has used;

(B) The hired driver's date of birth, height, weight, hair and eye color, place of birth,
driver license number and Social Security number;

(C) A physical address for the hired driver that is current as of the date of the applica-
tion under section 5 of this 2019 Act and previous physical addresses within the five years
before the date on which the vehicle-for-hire service first employed or contracted with the
hired driver;

(D) Any charge or conviction of the hired driver for a criminal offense that involved
theft, robbery, burglary, assault, a sex crime, drugs or prostitution and any restriction,
suspension or revocation of the hired driver's driver license; and

(E) All taxes the vehicle-for-hire service withheld from a hired driver's compensation or
paid on behalf of the hired driver and any other tax records and documents related to the
hired driver that are required by law.

(c) Maintain for a period of two years after the date of a complaint against a hired driver
a complete record of the complaint, of any investigation the vehicle-for-hire service con-
ducted and of the resolution at which the vehicle-for-hire service arrived. The record must
conform to any requirements a local government imposes with respect to form, format and
contents and, at a minimum, must:

(A) List the name, address and telephone number of the person who submitted the complaint;

(B) List the date on which the incident that was the basis of the complaint occurred;

(C) List the name of the hired driver identified in the complaint; and

(D) Summarize the allegation in the complaint, the results of any investigation the vehicle-for-hire service conducted and any actions the vehicle-for-hire service took to resolve the complaint.

(d) Comply with any requirements in a local government ordinance, regulation or other law to provide equal services to individuals with physical disabilities, including any prohibition on a vehicle-for-hire service's:

(A) Imposing any additional charge for providing a ride for hire or any related service to a public passenger because of the public passenger's physical disability;

(B) Charging a rate or price to a public passenger with a physical disability that varies from the rate or price the vehicle-for-hire service charges a public passenger without a physical disability; or

(C) Varying the rate or price for a ride for hire that the vehicle-for-hire service provides to a public passenger with a physical disability based on the time at which the ride for hire occurs, the location from which the ride for hire begins or at which the ride for hire ends or on any other basis that would not apply equally to a ride for hire that the vehicle-for-hire service provides to a public passenger without a physical disability.

(e) Enter into an agreement to share, at a minimum, the data described in paragraph (a) of this subsection with:

(A) The local government of the jurisdiction in which the vehicle-for-hire service operates if under an ordinance, regulation or other law the local government requires the vehicle-for-hire service to share the data; and

(B) A state agency, if the state agency by rule specifies the data the vehicle-for-hire service must share and the state agency's rule takes into account the capability that the vehicle-for-hire service has to collect and supply the data.

(2) This section does not prevent a local government from requiring by ordinance, regulation or other law that a vehicle-for-hire service maintain records other than the records described in this section.

SECTION 5. (1)(a) An individual who intends to become a hired driver shall submit to a vehicle-for-hire service an application that:

(A) Lists the individual's:

(i) Complete legal name and all other names the individual has used previously;

(ii) Current physical address;

(iii) Residential and mailing addresses during the five years preceding the date of the application;

(iv) Date and place of birth;

(v) Height, weight and hair and eye color;

(vi) Driver license number;

(vii) Social Security number; and

(viii) Business license number, if the individual holds a business license.

(B) Includes the policy number for any automobile liability insurance policy that covers
any motor vehicle that the individual intends to use to provide rides for hire.

(b) A vehicle-for-hire service that receives an application from an individual under para-

graph (a) of this subsection shall retain the application and all materials the individual sub-

mits or includes with the application for a period of five years after the date of the

application.

(c) A vehicle-for-hire service shall forward to a law enforcement agency, or other regu-

latory agency that a local government specifies in an ordinance, regulation or other law, the

completed application of any individual whom the vehicle-for-hire service intends to engage

as a hired driver.

(2)(a) A law enforcement agency or regulatory agency that receives an application under

subsection (1)(c) of this section, at a minimum, shall:

(A) Review the applicant's driving record; and

(B) Conduct or review a criminal background check that:

(i) Uses a criminal records locator or database with a nationwide scope that validates

each criminal record that is located; and

(ii) Searches the United States Department of Justice National Sex Offender Public

Website for a match between a listing on the website and the information the applicant

submits under subsection (1) of this section.

(b) Within 10 business days after conducting or reviewing a criminal background check

under paragraph (a) of this subsection, the law enforcement agency or regulatory agency

shall report to the vehicle-for-hire service or the local government for the jurisdiction within

which the applicant intends to provide rides for hire any criminal offense specified in sub-

section (4) of this section for which the applicant was previously charged or convicted.

(3) A local government may elect to issue to an individual who submits an application

under subsection (1) of this section a temporary or provisional license or other authorization

to provide rides for hire as an employee of, or under contract with, a vehicle-for-hire service.

(4)(a) A vehicle-for-hire service may not employ or contract to engage as a hired driver

an individual who:

(A) Is under the age specified in an ordinance, regulation or other law for allowing a

hired driver to provide rides for hire;

(B) Does not have a valid driver license or has had a driver license revoked or suspended

for a period of one year or longer;

(C) Does not have proof of registration for the vehicle for hire that the individual uses

or intends to use to provide rides for hire;

(D) Does not have evidence of coverage under an automobile liability insurance policy or

other liability insurance policy that is required under sections 1 to 8 of this 2019 Act or any

applicable ordinance, regulation or other law and that is appropriate for the vehicle for hire

that the individual intends to use to provide rides for hire;

(E) Has had, in the three-year period before the date of the individual's application under

subsection (1) of this section, more than two violations of the basic speed rule or more than

two other moving violations, or has had a Class A or Class B traffic violation that is the

equivalent, in the relevant jurisdiction, of one of these traffic violations:

(i) Failing to obey a police officer, as described in ORS 811.535;

(ii) Careless driving, as described in ORS 811.135; or

(iii) Violation driving while suspended or revoked, as described in ORS 811.175, within the
three years before the date of the individual's application under subsection (1) of this section;
(F) Was convicted of any felony within the 10 years before the date of the individual's
application under subsection (1) of this section;
(G) Was convicted at any time of a felony that involved inflicting bodily harm or an at-
tempt to inflict bodily harm on another person;
(H) Matches a listing in the United States Department of Justice National Sex Offender
Public Website;
(I) Was convicted of menacing, as described in ORS 163.190;
(J) Was convicted, in the five years before the date of the individual's application under
subsection (1) of this section, of:
(i) Any misdemeanor that involved theft, robbery, burglary, assault, a sex crime,
prostitution or possession or distribution of a prohibited drug or weapon;
(ii) Driving under the influence of intoxicants, as described in ORS 813.010;
(iii) Reckless driving, as described in ORS 811.140;
(iv) Fleeing or attempting to elude a police officer, as described in ORS 811.540;
(v) Criminal driving while suspended or revoked, as described in ORS 811.182; or
(vi) Failure to perform the duties of a driver when property is damaged, as described in
ORS 811.700.
(b) Immediately after receiving a report from a vehicle-for-hire service, a law enforce-
ment agency or another regulatory agency that an individual to whom a local government
issued a temporary or provisional license or other authorization under subsection (3) of this
section does not qualify as a hired driver under paragraph (a) of this subsection, the local
government shall terminate or revoke the individual's license and the vehicle-for-hire service
shall prohibit the individual from providing rides for hire.
(5)(a) A hired driver, or the vehicle-for-hire service with which the hired driver is asso-
ciated, shall report in writing to the local government of each jurisdiction in which the hired
driver provides rides for hire any formal charges against the hired driver for a crime, in-
fraction or other offense. The hired driver or vehicle-for-hire service shall make the report
within two business days after learning of the formal charge.
(b) A local government may immediately suspend any license or other authorization for
a hired driver to provide rides for hire within the local government's jurisdiction pending the
outcome of any formal charges reported under paragraph (a) of this subsection if the local
government determines that the seriousness of the charge means that the hired driver's
continuing to provide rides for hire presents a significant risk to public safety.
SECTION 6. (1)(a) A taxi company shall obtain and keep in force at all times during
which a hired driver remains an employee of or under contract with the taxi company a
primary automobile insurance policy that provides the coverage described in subsection (2)
of this section for the hired driver and the taxi the hired driver uses to provide rides for hire.
(b) A transportation network company or a hired driver, or the transportation network
company and the hired driver in combination, shall obtain and keep in force at all times
during which the hired driver remains an employee of or under contract with the transpor-
tation network company a primary automobile insurance policy that provides the coverage
described in subsection (3) of this section for the hired driver and the transportation network
vehicle that the hired driver uses to provide rides for hire.
(2) The primary automobile insurance policy required under subsection (1)(a) of this
section must provide at all times:

(a) Liability coverage with a combined single limit of not less than $500,000 for claims arising out of, but not limited to, death, bodily injury and property damage that occurs during any period in which the hired driver provided a ride for hire or was available to provide a ride for hire, including by means of a street hail;

(b) Uninsured motorist coverage as required under ORS 742.500 to 742.506, 742.508 and 742.510; and

(c) Personal injury protection benefits that, notwithstanding the definition of “personal injury protection benefits” in ORS 742.518, provide coverage in amounts not less than the amounts required for private passenger vehicles under ORS 742.518 to 742.542.

(3) The primary automobile insurance policy required under subsection (1)(b) of this section must provide:

(a) Liability coverage with the following limits:

(A) Coverage with a combined single limit of not less than $50,000 for each injury or death of a person, $100,000 for each incident of an injury or death and $25,000 for property damage at all times during which the hired driver has connected to a digital network and is available to accept an electronic hail but before the hired driver has actually accepted an electronic hail;

(B) Coverage with a combined single limit of $1 million for claims arising out of, but not limited to, death, bodily injury and property damage that occurs during any period in which the hired driver provides a ride for hire or has accepted an electronic hail and is traveling to the location where the ride for hire will begin; and

(C) Coverage with a combined single limit of $300,000 for claims arising out of, but not limited to, death, bodily injury and property damage that occurs at any time:

(i) After a ride for hire has ended and the hired driver remains connected to a digital network and available to accept another electronic hail; and

(ii) During a period that ends one hour after the hired driver has disconnected from the digital network, if during the period the hired driver does not reconnect to the digital network and is not otherwise available to accept an electronic hail;

(b) Uninsured motorist coverage as required under ORS 742.500 to 742.506, 742.508 and 742.510; and

(c) Personal injury protection benefits that, notwithstanding the definition of “personal injury protection benefits” in ORS 742.518, provide coverage in amounts not less than the amounts required for private passenger vehicles under ORS 742.518 to 742.542.

(4) If the primary automobile insurance policy that a hired driver must obtain and keep in force under subsection (1)(b) of this section has lapsed or does not provide the coverage required under subsection (3) of this section, the transportation network company that employs the hired driver or contracts with the hired driver to provide rides for hire shall provide the required coverage beginning with the first dollar of any claim. The transportation network company's insurer has a duty to defend against the claim.

(5) An automobile insurance policy that a vehicle-for-hire service or a hired driver maintains under this section may not require as a condition of providing coverage that the insurer deny a claim.

(6) A vehicle-for-hire service or hired driver may obtain automobile insurance coverage that meets the requirements of this section only from:
(a) An insurer that has a certificate of authority to transact insurance in this state that
the Director of the Department of Consumer and Business Services issued under ORS
731.402; or
(b) An eligible surplus lines insurer, as defined in ORS 735.405, that has a credit rating
that is not less than a rating that the director specifies by rule.
(7) An automobile insurance policy that meets the requirements set forth in this section
satisfies the financial or future responsibility requirements for motor vehicles that are set
forth in ORS chapter 806.
(8) A hired driver shall comply with ORS 806.011 at all times during which the hired
driver provides a ride for hire or is available to provide a ride for hire.
(9)(a) If an accident occurs at a time during which a hired driver is providing a ride for
hire or is available to provide a ride for hire, the hired driver shall give all required infor-
mation about the automobile insurance policy to directly interested parties and insurers and
to investigating police officers.
(b) If an investigating police officer asks, a hired driver shall disclose to the police officer
whether at the time of the accident the hired driver was providing a ride for hire or was
available to provide a ride for hire but not engaged in providing a ride for hire.
(10) A vehicle-for-hire service or a hired driver shall have the vehicle for hire that the
hired driver uses to provide rides for hire inspected at least every 12 months in accordance
with any requirements imposed by the local government of the jurisdiction in which the hired
driver provides rides for hire.
SECTION 7. (1) An insurer may deny or exclude from an automobile insurance policy any
and all coverage for a loss or injury that occurs while the insured is providing a ride for hire
or is available to provide a ride for hire. Notwithstanding the provisions of ORS chapter 806,
coverage that an insurer may exclude under the circumstances described in this subsection
includes, but is not limited to:
(a) Liability coverage for death, bodily injury or property damage;
(b) Uninsured motorist coverage as required under ORS 742.500 to 742.506, 742.508 and
742.510;
(c) Personal injury protection benefits at the minimum coverage amounts required for
private passenger vehicles under ORS 742.518 to 742.542;
(d) Coverage for medical payments;
(e) Comprehensive coverage for physical damage to a motor vehicle; and
(f) Coverage for collisions and resulting physical damage.
(2) An insurer that denies or excludes coverage under this section does not have a duty
to indemnify any party or defend against a claim brought against a vehicle-for-hire service
or hired driver to the extent that the insurer denied or excluded coverage for the claim.
(3) This section does not limit or invalidate an exclusion of the type described in sub-
section (1) of this section that existed in an automobile insurance policy before the operative
date of sections 1 to 8 of this 2019 Act.
(4) An insurer that defends against a claim or indemnifies a party after denying or ex-
cluding coverage for the claim has a right of contribution against any other insurer that
provides coverage to a hired driver under section 6 of this 2019 Act.
(5) A vehicle-for-hire service shall cooperate fully with an investigation of an accident
that involves a hired driver and shall provide in response to a request from a party involved
in the accident, an insurer or an investigating police officer the precise times during which
the hired driver was providing a ride for hire or was available to provide a ride for hire
during a period that begins 12 hours before the time of the accident and ends 12 hours after
the time of the accident.

(6) An insurer shall disclose in response to a request from another insurer that is named
in the same claim the coverage, limits and exclusions for the automobile insurance policy the
insurer provided.

(7) This section does not require an insurer to refer to this section or to use specific
language to deny or exclude coverage as provided in this section.

(8) This section does not preclude an insurer from providing primary or excess automo-
 bile insurance coverage for a vehicle for hire if the insurer contracts with a hired driver to
provide the coverage or if the insurer provides the coverage by endorsement on the hired
driver's automobile insurance policy.

SECTION 8. (1) A vehicle-for-hire service or a hired driver shall comply with and may
not engage in any deceptive practice to evade a provision or requirement of sections 1 to 8
of this 2019 Act. A practice is deceptive if the vehicle-for-hire service or the hired driver
employs the practice with the intent to mislead a local government with respect to a mate-
rial element of the provision or requirement or with respect to an action to enforce or at-
tempt to enforce the provision or requirement.

(2) A local government may impose a fine or other penalty in accordance with any ordi-
nance, regulation or other law the local government enacts or adopts for the purpose of en-
forcing sections 1 to 8 of this 2019 Act or any ordinance, regulation or other law the local
government enacts or adopts with respect to individuals, entities or matters that are subject
to sections 1 to 8 of this 2019 Act.

(3) A violation of a provision of sections 1 to 8 of this 2019 Act is an unlawful trade
practice under ORS 646.607 that the Attorney General or a prosecuting attorney, in addition
to and not in lieu of any fine or penalty a local government imposes under subsection (2) of
this section, may enforce under ORS 646.632.

SECTION 9. ORS 646.607 is amended to read:
646.607. A person engages in an unlawful trade practice if in the course of the person's business,
vocation or occupation the person:
(1) Employs any unconscionable tactic in connection with selling, renting or disposing of real
estate, goods or services, or collecting or enforcing an obligation;
(2) Fails to deliver all or any portion of real estate, goods or services as promised, and at a
customer's request, fails to refund money that the customer gave to the person to purchase the
undelivered real estate, goods or services and that the person does not retain pursuant to any right,
claim or defense the person may assert in good faith. This subsection does not create a warranty
obligation and does not apply to a dispute over the quality of real estate, goods or services delivered
to a customer;
(3) Violates ORS 401.965 (2);
(4) Violates a provision of ORS 646A.725 to 646A.750;
(5) Violates ORS 646A.530;
(6) Employs a collection practice that is unlawful under ORS 646.639;
(7) Is a beneficiary that violates ORS 86.726 (1)(a) or (2), 86.729 (4) or 86.732 (1) or (2);
(8) Violates ORS 646A.093;
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(9) Violates a provision of ORS 646A.600 to 646A.628;

(10) Violates ORS 646A.808 (2);

(11) Violates ORS 336.184; [or]

(12) Publishes on a website related to the person's business, or in a consumer agreement related to a consumer transaction, a statement or representation of fact in which the person asserts that the person, in a particular manner or for particular purposes, will use, disclose, collect, maintain, delete or dispose of information that the person requests, requires or receives from a consumer and the person uses, discloses, collects, maintains, deletes or disposes of the information in a manner that is materially inconsistent with the person’s statement or representation[.]; or

(13) Violates a provision of sections 1 to 8 of this 2019 Act.

SECTION 10. (1) Sections 1 to 8 of this 2019 Act and the amendments to ORS 646.607 by section 9 of this 2019 Act become operative on January 1, 2020.

(2) The Director of the Department of Consumer and Business Services and a local government may adopt, as appropriate, rules, regulations, ordinances or other laws and take any other action before the operative date specified in subsection (1) of this section that is necessary to enable the director or the local government, on or after the operative date specified in subsection (1) of this section, to exercise all of the duties, functions and powers conferred on the director or the local government by sections 1 to 8 of this 2019 Act and the amendments to ORS 646.607 by section 9 of this 2019 Act.

SECTION 11. This 2019 Act takes effect on the 91st day after the date on which the 2019 regular session of the Eightieth Legislative Assembly adjourns sine die.