

Senate Bill 389

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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, in prosecutions for violation of city motor vehicle parking ordinances, defendant may not be required to pay fine or bail amount before requesting hearing or submitting explanation to court.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to prosecutions for violation of city motor vehicle parking ordinances; creating new pro-
3 visions; amending ORS 221.333; and declaring an emergency.

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

5 **SECTION 1.** ORS 221.333 is amended to read:

6 221.333. (1) In all prosecutions for violation of motor vehicle parking ordinances in cities, it shall
7 be sufficient to charge the defendant by an unsworn written notice if the notice clearly states:

8 (a) The date, place and nature of the charge.

9 (b) The time and place for defendant's appearance in court.

10 (c) The name of the issuing officer or other person authorized to issue the notice.

11 (d) The license number of the vehicle.

12 (2) The notice provided for in subsection (1) of this section shall either be delivered to the de-
13 fendant or placed in a conspicuous place upon the vehicle involved in the violation. A duplicate
14 original of the notice shall serve as the complaint in the case when it is filed with the court. In all
15 other respects the procedure now provided by law in such cases shall be followed, but ORS 810.365
16 does not apply. The officer or person authorized to issue a citation need not have observed the act
17 of parking, but need only have observed that the car was parked in violation of city ordinances.

18 **(3) In all prosecutions for violation of motor vehicle parking ordinances in cities, the**
19 **defendant may not be required to pay the fine imposed or a bail amount before the defendant**
20 **may request a hearing or submit a written explanation to the court.**

21 **SECTION 2.** The amendments to ORS 221.333 by section 1 of this 2019 Act apply to cita-
22 tions issued on or after the effective date of this 2019 Act.

23 **SECTION 3.** This 2019 Act being necessary for the immediate preservation of the public
24 peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect
25 on its passage.

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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.