

Requested by Representative KOTEK

**PROPOSED AMENDMENTS TO
SENATE BILL 792**

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest
2 of the line and insert “creating new provisions; amending ORS 459.005,
3 459.715 and 822.133; and declaring an emergency.”.

4 After line 3, insert:

5 **“SECTION 1.** ORS 822.133 is amended to read:

6 “822.133. (1) As used in this section:

7 “(a) ‘Crushed motor vehicle’ means a motor vehicle, the frame or unibody
8 of which is compacted or flattened so that it no longer resembles any par-
9 ticular year, model or make of motor vehicle and is less than half of the
10 motor vehicle’s original volume as measured in cubic feet.

11 “(b) ‘Destroy’ means to dismantle, disassemble, damage or substantially
12 alter a motor vehicle:

13 “(A) With the intent of rendering the vehicle permanently inoperable;

14 “(B) To the extent that the cost of repairing the vehicle exceeds the ac-
15 tual cash value of the vehicle prior to the damage; or

16 “(C) To the extent that the sum of the cost of repairing the vehicle and
17 the salvage value of the vehicle in its damaged condition exceeds the actual
18 cash value of the vehicle in its repaired condition.

19 “(c) ‘Mobile motor vehicle crusher’ means a machine that compacts or
20 flattens a motor vehicle into a crushed motor vehicle and is designed to be
21 transported on a highway.

1 “(d) ‘Wrecked vehicle’ means a motor vehicle:
2 “(A) That is destroyed, or is acquired with the intent to destroy, and that
3 will never be operated as a motor vehicle; or
4 “(B) That has sustained damage to an extent that the vehicle may not
5 lawfully be operated on the highways of this state.
6 “(2) In the operation of a motor vehicle dismantling business, a
7 dismantler:
8 “(a) Must physically separate or visually label a wrecked vehicle in a
9 manner that readily identifies the ownership status of the wrecked vehicle
10 if the dismantler takes possession of the wrecked vehicle without imme-
11 diately obtaining an ownership record or salvage title certificate. A
12 dismantler need not separate or visually identify a wrecked vehicle pursuant
13 to this subsection if the vehicle is subject to an exemption under ORS 803.030
14 or is obtained from a jurisdiction that does not issue certificates of title.
15 “(b) May not remove parts from or destroy a motor vehicle prior to ob-
16 taining an ownership record or salvage title certificate for the vehicle.
17 “(c) Must demolish the registration plates of a wrecked vehicle at the
18 time the ownership record is received.
19 “(d) Must notify the Department of Transportation of any changes in the
20 information provided to the department in the application for a dismantler
21 certificate within 30 days of the change.
22 “(e) Must furnish a written report to the department, in a form estab-
23 lished by the department by rule, after a wrecked vehicle is dismantled or
24 destroyed.
25 “(f) **Must be in compliance with any agreement with, order of or**
26 **program or process authorized by the Department of Environmental**
27 **Quality that governs the conduct of the dismantler.**
28 “(3)(a) A dismantler using a mobile motor vehicle crusher shall:
29 “(A) Hold a current, valid dismantler certificate issued under ORS
30 822.110.

1 “(B) Conspicuously display on the mobile motor vehicle crusher the name
2 of the dismantler’s business as listed on the dismantler’s application sub-
3 mitted pursuant to ORS 822.110 and the dismantler certificate number issued
4 by the Department **of Transportation**.

5 “(C) Comply with all of the applicable statutes and rules regulating
6 dismantlers at each location where the dismantler uses the mobile motor
7 vehicle crusher. If the dismantler is using a mobile motor vehicle crusher
8 at a location approved under a dismantler certificate, the dismantler who
9 holds the dismantler certificate for the location shall be responsible for
10 complying with all statutes and rules regarding dismantlers.

11 “(b) If a dismantler is using a mobile motor vehicle crusher at a tempo-
12 rary location for 15 consecutive business days or less, the dismantler is ex-
13 empt from obtaining a supplemental dismantler certificate under ORS 822.125
14 for the temporary location.

15 **“SECTION 2. (1) The Task Force on Auto Dismantler Regulation is**
16 **established.**

17 **“(2) The task force consists of 11 members as follows:**

18 **“(a) The President of the Senate shall appoint one member from**
19 **among members of the Senate;**

20 **“(b) The Speaker of the House of Representatives shall appoint one**
21 **member from among members of the House of Representatives;**

22 **“(c) The Governor shall appoint:**

23 **“(A) Three members representing motor vehicle dismantling busi-**
24 **nesses; and**

25 **“(B) Three members representing the interests of the public; and**

26 **“(d) The following shall serve as voting, ex officio members of the**
27 **task force:**

28 **“(A) The State Fire Marshal or the State Fire Marshal’s designee;**

29 **“(B) The Director of the Department of Environmental Quality or**
30 **the director’s designee; and**

1 **“(C) The Director of Transportation or the director’s designee.**

2 **“(3) The task force shall consider options to address environmental**
3 **and safety regulation of motor vehicle dismantling businesses required**
4 **to hold certificates issued under ORS 822.110. The options considered**
5 **by the task force shall include, but not be limited to, legislation to**
6 **modify or repeal the amendments to ORS 459.005 and 459.715 by**
7 **sections 4 and 5 of this 2019 Act.**

8 **“(4) A majority of the voting members of the task force constitutes**
9 **a quorum for the transaction of business.**

10 **“(5) Official action by the task force requires the approval of a**
11 **majority of the voting members of the task force.**

12 **“(6) The task force shall elect one of its members to serve as**
13 **chairperson.**

14 **“(7) If there is a vacancy for any cause, the appointing authority**
15 **shall make an appointment to become immediately effective.**

16 **“(8) The task force shall meet at times and places specified by the**
17 **call of the chairperson or of a majority of the voting members of the**
18 **task force.**

19 **“(9) The task force may adopt rules necessary for the operation of**
20 **the task force.**

21 **“(10) The task force shall submit a report in the manner provided**
22 **by ORS 192.245, and may include recommendations for legislation, to**
23 **the interim committees of the Legislative Assembly related to the en-**
24 **vironment and natural resources no later than September 15, 2019.**

25 **“(11) The Department of Environmental Quality shall provide staff**
26 **support to the task force.**

27 **“(12) Members of the Legislative Assembly appointed to the task**
28 **force are nonvoting members of the task force and may act in an ad-**
29 **visory capacity only.**

30 **“(13) Members of the task force who are not members of the Leg-**

1 **islative Assembly are not entitled to compensation or reimbursement**
2 **for expenses and serve as volunteers on the task force.**

3 **“(14) All agencies of state government, as defined in ORS 174.111,**
4 **are directed to assist the task force in the performance of the duties**
5 **of the task force and, to the extent permitted by laws relating to**
6 **confidentiality, to furnish information and advice the members of the**
7 **task force consider necessary to perform their duties.**

8 **“SECTION 3. Section 2 of this 2019 Act is repealed on December 31,**
9 **2020.”.**

10 In line 4, delete “1” and insert “4”.

11 On page 3, line 38, delete “2” and insert “5”.

12 On page 4, after line 3, insert:

13 **“SECTION 6. The amendments to ORS 459.005 and 459.715 by**
14 **sections 4 and 5 of this 2019 Act become operative on January 1, 2021.**

15 **“SECTION 7. This 2019 Act being necessary for the immediate**
16 **preservation of the public peace, health and safety, an emergency is**
17 **declared to exist, and this 2019 Act takes effect on its passage.”.**

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