

HB 4065 -1, -2, -3, -4 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Michael Lantz, Counsel

Meeting Dates: 2/20, 2/25

WHAT THE MEASURE DOES:

Removes authority of courts to impose driving privilege suspensions for failure to pay traffic-related fines or comply with requirements ordered in lieu of fines. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Collateral consequences of license suspensions
- Racial disparity in tickets issued for driving while suspended
- Effects of similar laws in other states
- Impacts on municipal and justice courts
- Purpose of amendments

EFFECT OF AMENDMENT:

- 1 Replaces measure. Prohibits court from imposing driving privilege suspension if person has established payment plan and has begun making payments within 120 days of offense. Permits court to allow individual who would otherwise be suspended for failure to pay traffic related fine to retain driving privileges if court deems it necessary.
- 2 Replaces measure. Prohibits court from imposing driving privilege suspension if person has established payment plan and has begun making payments within 120 of entry of judgment. Permits court to allow individual who would otherwise be suspended for failure to pay traffic related fine to retain driving privileges if court deems it necessary.
- 3 Replaces measure. Prohibits court from imposing driving privilege suspension for failure to pay traffic related fines unless person has failed to begin making payments and has been issued three orders to show cause by the court within 365 days of entry of judgment.
- 4 Replaces measure. Prohibits court from imposing driving privilege suspension for failure to pay traffic related fines unless person has failed to begin making payments and has been issued three orders to show cause by the court within 180 days of entry of judgment.

BACKGROUND:

Under ORS 809.210, a court can order the suspension of an individual's driving privileges if that individual fails to pay court fines related to a driving offense or fails to meet a requirement ordered in lieu of a fine. The suspension will stay in place for 20 years unless the individual presents a reinstatement notice from the court to Oregon Driver and Motor Vehicle Services (DMV) showing that the individual: has paid the fine in full; is making payments following a court-approved payment plan; is enrolled in a preapprentice program; or is a registered apprentice. Individuals who have had their driving privileges suspended for failing to pay traffic-related fines are eligible to apply for a hardship permit. These permits allow suspended individuals to drive for certain specific purposes, such as for work, medical treatment, or to provide other necessary services to themselves or family members.

House Bill 4065 removes the authority of courts to impose driving privilege suspensions based on an individual's failure to pay traffic-related court fines or meet requirements ordered in lieu of fines.