

## HOUSE AMENDMENTS TO HOUSE BILL 4036

By JOINT COMMITTEE ON TRANSPORTATION

February 27

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and insert  
2 “166.360,”.

3 In line 3, after “319.330,” insert “319.665, 319.671, 319.950,”.

4 Delete line 4 and insert “323.455, 323.457, 346.510, 541.561, 541.659, 757.357, 803.102, 803.210,  
5 807.072, 811.260, 811.602, 811.604, 811.605, 811.613, 811.616, 819.010, 819.016, 824.022, 824.026,”.

6 In line 5, after “824.060,” insert “824.068,” and delete “and 824.992” and insert “, 824.992,  
7 825.400, 825.402 and 825.404”.

8 In line 6, delete “, 824.068”.

9 Delete lines 14 through 31.

10 Delete pages 2 and 3.

11 On page 4, delete lines 1 through 34 and insert:

12 “**SECTION 1.** ORS 811.602 is amended to read:

13 “811.602. (1) A disabled person parking permit is a means of identifying vehicles being used to  
14 exercise the parking privileges described in ORS 811.635. The following are disabled person parking  
15 permits:

16 “(a) A special decal described in ORS 811.605 issued by the Department of Transportation to be  
17 affixed to a golf cart or substantially similar vehicle;

18 “(b) An individual placard described in ORS 811.605;

19 “(c) A program placard issued by the department under ORS 811.607;

20 “(d) A family placard issued by the department under ORS 811.609;

21 “(e) A foreign visitor placard issued by the department under ORS 811.611;

22 “(f) A ‘Wheelchair User’ placard or decal issued by the department under ORS 811.613; and

23 “(g) An ‘Oregon Wounded Warrior’ placard or decal issued by the department under ORS  
24 811.616.

25 “(2) The department shall issue a disabled person parking permit in the form of a decal or in-  
26 dividual placard to any person who submits an application that complies with ORS 811.604. Nothing  
27 in this section prohibits the department from issuing a decal or individual placard to a person who  
28 has disabled veteran registration plates issued under ORS 805.100 and who qualifies for the decal  
29 or placard.

30 “(3) Except as otherwise provided in this subsection, the department may not issue more than  
31 one individual placard to an applicant. The department may issue a replacement placard upon re-  
32 ceipt of proof satisfactory to the department that the original placard has been lost, mutilated or  
33 destroyed. The department may issue a temporary duplicate permit to a person who needs a dupli-  
34 cate permit for travel purposes. A temporary duplicate permit shall be valid for 30 days. The de-  
35 partment shall adopt rules governing application for and issuance of temporary duplicate permits.

1 Nothing in this subsection prohibits issuance of an individual placard to a person who has been is-  
2 sued a decal.

3 “[*(4) Permits issued under this section may be renewed by mail.*]

4 “[*(5) (4) Permits for use on vehicles that are regularly used as part of a program for the*  
5 *transportation of persons with disabilities are issued as provided in ORS 811.607.*”

6 “[*(6) (5) Except as provided in subsection [(7)] (6) of this section, the department shall deter-*  
7 *mine the form, size and content of any decal or placard issued under this section and shall adopt*  
8 *rules governing their issuance, display and use as necessary to carry out this section.*”

9 “[*(7)(a) (6)(a) Except as provided in paragraph (b) of this subsection, the department may not*  
10 *require a decal or placard issued under this section to an individual or a family to contain any*  
11 *identifying information about the person to whom the decal or placard is issued, including any of*  
12 *the following:*

13 “(A) Name;

14 “(B) Address;

15 “(C) Telephone number;

16 “(D) Social Security number;

17 “(E) Driver license number;

18 “(F) Golf cart driver permit number;

19 “(G) Identification card number;

20 “(H) Passport or visa number; or

21 “(I) Photograph.

22 “(b) The department may require a decal or placard issued under this section to an individual  
23 or a family to contain not more than four digits of the driver license or identification card number  
24 of the person to whom the decal or placard is issued.

25 “**SECTION 1a.** ORS 811.602, as amended by section 2, chapter 413, Oregon Laws 2019, is  
26 amended to read:

27 “811.602. (1) A disabled person parking permit is a means of identifying vehicles being used to  
28 exercise the parking privileges described in ORS 811.635. The following are disabled person parking  
29 permits:

30 “(a) A special decal described in ORS 811.605 issued by the Department of Transportation to be  
31 affixed to a golf cart or substantially similar vehicle;

32 “(b) An individual placard described in ORS 811.605;

33 “(c) A program placard issued by the department under ORS 811.607;

34 “(d) A family placard issued by the department under ORS 811.609;

35 “(e) A foreign visitor placard issued by the department under ORS 811.611;

36 “(f) A ‘Wheelchair User’ placard or decal issued by the department under ORS 811.613; and

37 “(g) An ‘Oregon Wounded Warrior’ placard or decal issued by the department under ORS  
38 811.616.

39 “(2) The department shall issue a disabled person parking permit in the form of a decal or in-  
40 dividual placard to any person who submits an application that complies with ORS 811.604. Nothing  
41 in this section prohibits the department from issuing a decal or individual placard to a person who  
42 has disabled veteran registration plates issued under ORS 805.100 and who qualifies for the decal  
43 or placard.

44 “(3) Except as otherwise provided in this subsection, the department may not issue more than  
45 one individual placard to an applicant. The department may issue a replacement placard upon re-

1 ceipt of proof satisfactory to the department that the original placard has been lost, mutilated or  
2 destroyed. The department may issue a temporary duplicate permit to a person who needs a dupli-  
3 cate permit for travel purposes. A temporary duplicate permit shall be valid for **up to** 120 days. The  
4 department shall adopt rules governing application for and issuance of temporary duplicate permits.  
5 Nothing in this subsection prohibits issuance of an individual placard to a person who has been is-  
6 sued a decal.

7 “[*(4) Permits issued under this section may be renewed by mail.*]

8 “[*(5) (4) Permits for use on vehicles that are regularly used as part of a program for the*  
9 *transportation of persons with disabilities are issued as provided in ORS 811.607.*”

10 “[*(6) (5) Except as provided in subsection [(7)] (6) of this section, the department shall deter-*  
11 *mine the form, size and content of any decal or placard issued under this section and shall adopt*  
12 *rules governing their issuance, display and use as necessary to carry out this section.*”

13 “[*(7)(a) (6)(a) Except as provided in paragraph (b) of this subsection, the department may not*  
14 *require a decal or placard issued under this section to an individual or a family to contain any*  
15 *identifying information about the person to whom the decal or placard is issued, including any of*  
16 *the following:*

17 “(A) Name;

18 “(B) Address;

19 “(C) Telephone number;

20 “(D) Social Security number;

21 “(E) Driver license number;

22 “(F) Golf cart driver permit number;

23 “(G) Identification card number;

24 “(H) Passport or visa number; or

25 “(I) Photograph.

26 “(b) The department may require a decal or placard issued under this section to an individual  
27 or a family to contain not more than four digits of the driver license or identification card number  
28 of the person to whom the decal or placard is issued.

29 “**SECTION 1b. Section 1c of this 2020 Act is added to and made a part of the Oregon**  
30 **Vehicle Code.**

31 “**SECTION 1c. The Department of Transportation shall invalidate a disabled parking**  
32 **permit issued under ORS 811.602 if any of the following occurs:**

33 “(1) **The person issued an individual or ‘Wheelchair User’ placard or permit has since**  
34 **obtained a driver license or driver permit issued by another jurisdiction or has since obtained**  
35 **an identification card in another jurisdiction that is similar to person’s identification card**  
36 **issued by this state.**

37 “(2) **The department receives notice that the person issued a disabled parking permit is**  
38 **deceased.**

39 “(3) **The department determines that the disabled parking permit was issued under**  
40 **fraudulent circumstances.**

41 “(4) **The person, program or family for which the permit was issued no longer qualifies**  
42 **for the permit.**

43 “**SECTION 1d. ORS 811.604 is amended to read:**

44 “811.604. Application for issuance or renewal of a disabled person parking permit in the form  
45 of an individual placard or decal issued under ORS 811.602 shall include:

1 “(1) A certificate, signed and dated within six months preceding the date of application, by a  
2 licensed physician, a licensed nurse practitioner or a licensed physician assistant to the Department  
3 of Transportation that the applicant is a person with a disability or a certificate, signed and dated  
4 within six months preceding the date of application, by a licensed optometrist that the applicant is  
5 a person with a disability because of loss of vision or substantial loss of visual acuity or visual field  
6 beyond correction;

7 “(2) The state-issued licensing number of the licensed physician, certified nurse practitioner, li-  
8 censed physician assistant or licensed optometrist who signed the certificate described in subsection  
9 (1) of this section; and

10 “(3) The number of a [*current, valid*] driver license, [*golf cart*] driver permit, identification card  
11 or parking identification card issued to the applicant by the department.

12 “**SECTION 1e.** ORS 811.605 is amended to read:

13 “811.605. (1) An applicant for an individual placard or decal issued by the Department of  
14 Transportation under ORS 811.602 must have a driver license, a [*disability golf cart*] driver permit,  
15 an identification card or a parking identification card issued by the department. [*The placard or*  
16 *decal shall be valid so long as the license, permit, identification card or parking identification card is*  
17 *valid and may be renewed when the license, permit or card is renewed.*]

18 “(2) An individual placard or decal shall contain an expiration date that is visible from outside  
19 the vehicle when the placard or decal is displayed on or in the vehicle. [*The expiration date shall*  
20 *be the same as the expiration date of the driver license, golf cart driver permit, identification card or*  
21 *parking identification card of the holder of the placard.*]

22 “**(3) A placard or decal issued under this section shall be valid for a period of eight years**  
23 **from the date of issue. A placard or decal may be renewed in a manner determined by the**  
24 **department by rule.**

25 “**SECTION 1f.** ORS 811.613 is amended to read:

26 “811.613. (1) The Department of Transportation shall issue a ‘Wheelchair User’ disabled person  
27 parking permit in the form of a ‘Wheelchair User’ placard or decal for use by a person who uses a  
28 wheelchair or similar low-powered motorized or mechanically propelled vehicle designed specifically  
29 for use by a person with a physical disability.

30 “(2) The department shall determine the form, size and content of the placards or decals, except  
31 that the department shall require that the placards or decals:

32 “(a) Include the words ‘Wheelchair User.’

33 “(b) Have an expiration date that is visible from outside the vehicle when the placard or decal  
34 is displayed on or in the vehicle.

35 “(3) The department shall by rule determine how a person may qualify for a ‘Wheelchair User’  
36 placard or decal under this section.

37 “(4) An applicant for a ‘Wheelchair User’ placard or decal issued by the department under this  
38 section must have a driver license, a [*disability golf cart*] driver permit or an identification card is-  
39 sued by the department. [*The placard or decal shall be valid as long as the license, permit or iden-*  
40 *tification card is valid and may be renewed when the license, permit or identification card is*  
41 *renewed.*]

42 “[*(5) The expiration date shall be the same as the expiration date of the driver license, disability*  
43 *golf cart driver permit or identification card of the holder of the placard or decal.*]

44 “**(5) A placard or decal issued under this section shall be valid for a period of eight years**  
45 **from the date of issue. A placard or decal may be renewed in a manner determined by the**

1 **department by rule.**

2 **“SECTION 1g.** ORS 811.616 is amended to read:

3 “811.616. (1) The Department of Transportation shall issue an ‘Oregon Wounded Warrior’ dis-  
4 abled person parking permit in the form of an ‘Oregon Wounded Warrior’ placard or decal for use  
5 by a wounded warrior.

6 “(2) A person is a wounded warrior who qualifies for an ‘Oregon Wounded Warrior’ parking  
7 permit if the person:

8 “(a) Submits written proof to the Department of Transportation of having a United States De-  
9 partment of Veterans Affairs total disability rating of at least 50 percent as a result of an injury  
10 or illness that the veteran incurred, or that was aggravated, during active military service; and

11 “(b) Received a discharge or release under other than dishonorable conditions.

12 “(3) The Department of Transportation shall determine the form, size and content of the placards  
13 or decals, except that the department shall require that the placards or decals:

14 “(a) Include the words ‘Oregon Wounded Warrior.’

15 “(b) Have an expiration date that is visible from outside the vehicle when the placard or decal  
16 is displayed on or in the vehicle.

17 “(4) The Department of Transportation shall by rule determine how a person may apply for an  
18 ‘Oregon Wounded Warrior’ placard or decal under this section.

19 “(5) An applicant for an ‘Oregon Wounded Warrior’ placard or decal issued by the Department  
20 of Transportation under this section must have a driver license, a [*disability golf cart*] driver permit  
21 or an identification card issued by the department. [*The placard or decal shall be valid as long as*  
22 *the license, permit or identification card is valid and may be renewed when the license, permit or*  
23 *identification card is renewed.*]

24 “[*(6) The expiration date shall be the same as the expiration date of the driver license, disability*  
25 *golf cart driver permit or identification card of the holder of the placard or decal.*]

26 **“(6) A placard or decal issued under this section shall be valid for a period of eight years**  
27 **from the date of issue. A placard or decal may be renewed in a manner determined by the**  
28 **Department of Transportation by rule.**

29 **“SECTION 1h.** ORS 819.016 is amended to read:

30 “819.016. (1) Except as provided in subsection (2) of this section, when the provisions of ORS  
31 819.010, 819.012 or 819.014 require a person to surrender to the Department of Transportation a  
32 certificate of title for a vehicle, or when a person acquires a vehicle under the provisions of ORS  
33 819.215, the person shall apply to the department for a salvage title for the vehicle. The application  
34 shall comply with the requirements of ORS 803.140.

35 “(2) When the person is not required to surrender a certificate of title because title for the ve-  
36 hicle was issued in some other form, the person shall follow procedures adopted by the department  
37 by rule.

38 “[*(3) Subsections (1) and (2) of this section do not apply if the person does not intend to rebuild*  
39 *or repair the vehicle, to transfer the vehicle or to use the frame or unibody of the vehicle for repairing*  
40 *or constructing another vehicle.*]

41 **“(3) Subsections (1) and (2) of this section do not apply if the person:**

42 **“(a) Does not intend to rebuild or repair the vehicle, to transfer the vehicle or to use the**  
43 **frame or unibody of the vehicle for repairing or constructing another vehicle; or**

44 **“(b) The person rebuilds or repairs the vehicle and applies to title the vehicle with the**  
45 **designation of assembled, reconstructed or replica.**

1       “**SECTION 1i.** ORS 824.068 is amended to read:

2       “824.068. (1) The Department of Transportation shall prescribe standards for water quality [*and*  
3       *sanitation facilities*] on railroad locomotives [*and cabooses*] in this state.

4       “(2) The department may for good cause shown permit variances from the standards so pre-  
5       scribed.

6       “**SECTION 1j.** ORS 319.665 is amended to read:

7       “319.665. (1) The seller of fuel for use in a motor vehicle shall collect the tax provided by ORS  
8       319.530 at the time the fuel is sold, unless one of the following situations applies:

9       “[(a) *The Department of Transportation has issued a weight identifier under ORS 825.450 for the*  
10       *vehicle into which the seller delivers or places the fuel.*]

11       “**(a) The Department of Transportation has issued for the vehicle into which the seller**  
12       **delivers or places the fuel a weight identifier under ORS 825.450 or a valid user’s emblem**  
13       **under ORS 319.600.**

14       “(b) The fuel is dispensed at a nonretail facility, in which case the seller shall collect any tax  
15       owed at the same time the seller collects the purchase price from the person to whom the fuel was  
16       dispensed at the nonretail facility. A seller is not required to collect the tax under this paragraph  
17       from a person who certifies to the seller that the use of the fuel is exempt from the tax imposed  
18       under ORS 319.530.

19       “(c) A cardlock card is used for purchase of the fuel at an attended portion of a retail facility  
20       equipped with a cardlock card reader, in which case the cardlock card issuer licensed in this state  
21       is responsible for collecting and remitting the tax unless the person making the purchase certifies  
22       to the seller that the use of the fuel is exempt from the tax imposed under ORS 319.530.

23       “(2) If a cardlock card is used for purchase of fuel at an attended portion of a retail facility  
24       equipped with a cardlock card reader, the seller at the retail facility may deduct fuel purchases  
25       made with a cardlock card from the seller’s retail transactions if the seller provides the department  
26       with the following information:

27       “(a) A monthly statement from a cardlock card issuer that details the cardlock card purchases  
28       at the retail facility; and

29       “(b) A listing of cardlock card issuers and gallons of fuel purchased at the retail facility by the  
30       issuers’ customers.

31       “(3) The department shall supply each seller of fuel for use in a motor vehicle with a chart  
32       which sets forth the tax imposed on given quantities of fuel.

33       “**SECTION 1k.** ORS 319.671 is amended to read:

34       “319.671. (1) The seller of fuel for any purpose shall make a duplicate invoice for every sale of  
35       fuel for any purpose and shall retain one copy and give the other copy to the user. The Department  
36       of Transportation may prescribe the form of the invoice. The invoice shall show:

37       “(a) The seller’s name and address;

38       “(b) The date;

39       “(c) The amount of the sale in gallons; and

40       “(d) The name and address of the user.

41       “(2) In addition to the invoice entries listed in subsection (1) of this section, the seller of fuel  
42       for use in a motor vehicle shall indicate on the invoice the amount of the tax collected, if any, and:

43       “(a) The license plate number, if the vehicle bears a license plate issued by the department or  
44       another jurisdiction;

45       “(b) The emblem number, if the vehicle bears a user’s emblem; [*or*]

1 “(c) The temporary pass number, if the vehicle bears no valid user’s emblem [*or license plate*  
2 *issued by the department.*]; **or**

3 “(d) **The license plate number, if the vehicle bears no valid user’s emblem or temporary**  
4 **pass number issued by the department.**

5 “(3) Notwithstanding subsection (1) of this section, this section does not require any invoice to  
6 be prepared for any sale where fuel is delivered into the fuel tank of a vehicle described in this  
7 subsection unless the operator of the vehicle requests an invoice. If an invoice is prepared under  
8 this subsection, the name and address of a user is not required to be shown on the invoice for sales  
9 where the fuel is delivered into the fuel tanks of vehicles described in this subsection. This sub-  
10 section applies to vehicles:

11 “(a) That have a combined weight of 26,000 pounds or less; and

12 “(b)(A) For which the tax under ORS 319.530 must be paid at the time of sale under ORS 319.665;  
13 **or**

14 “(B) For which an emblem has been issued under ORS 319.535.

15 “**SECTION 1L.** ORS 819.010 is amended to read:

16 “819.010. (1) A person commits the offense of failure to comply with requirements for destruction  
17 of a vehicle if the person wrecks, dismantles[,] **or** disassembles [*or substantially alters*] the form of  
18 any vehicle that is or is required to be registered or titled under the vehicle code or under ORS  
19 chapter 826 and the person does not comply with all of the following:

20 “(a) The person must give notice to the Department of Transportation, in a form specified by the  
21 department, of the person’s intention to dismantle, disassemble[,] **or** wreck [*or substantially alter*] the  
22 form of the vehicle at least seven days prior to commencement thereof.

23 “(b) If the vehicle is visible from a public right of way, the person must complete the wrecking,  
24 dismantling[,] **or** disassembling [*or substantial alteration*] of **the form of the vehicle** within 30 days  
25 from the commencement thereof.

26 “(c) If the vehicle is registered by this state, the person must deliver or mail to the department  
27 the registration card, certificate of title, if one has been issued, and registration plates of the vehicle  
28 within 30 days after the person wrecks, dismantles[,] **or** disassembles [*or substantially alters*] the  
29 form of the vehicle.

30 “(d) If no certificate of title has been issued for the vehicle, the person must notify the depart-  
31 ment in a manner determined by the department by rule within 30 days after the person wrecks,  
32 dismantles[,] **or** disassembles [*or substantially alters*] the form of the vehicle.

33 “(e) If required to do so under ORS 819.016, the person shall apply for a salvage title for the  
34 vehicle.

35 “(2) This section does not apply to persons who are acting within the scope of a dismantler  
36 certificate issued under ORS 822.110.

37 “(3) The offense described in this section, failure to comply with requirements for destruction  
38 of vehicle, is a Class A misdemeanor.

39 “**SECTION 1m.** ORS 319.950 is amended to read:

40 “319.950. (1) **The governing body of** a city, county or other local government may enact or  
41 amend any charter provision, ordinance, resolution or other provision taxing fuel for motor vehicles  
42 after submitting the proposed tax to the electors of the local government for their approval.

43 “(2) **The governing body of a local government that imposes a tax on fuel for motor ve-**  
44 **hicles pursuant to this section may enter into an agreement with the Department of Trans-**  
45 **portation pursuant to which the department shall collect and distribute the revenues from**

1 **the tax.**

2 **“SECTION 1n. The amendments to ORS 319.950 by section 1m of this 2020 Act apply to**  
3 **agreements entered into on or after January 1, 1977, by the governing body of a city, county**  
4 **or other local government with the Department of Transportation for purposes of the col-**  
5 **lection and distribution of revenues from taxes on fuel for motor vehicles by the department.**

6 **“SECTION 1o.** ORS 346.510 is amended to read:

7 “346.510. As used in ORS 346.510 to 346.570:

8 “(1) ‘Cafeteria’ means a food-dispensing facility:

9 “(a) That can provide a variety of prepared foods and beverages;

10 “(b) Where a patron may move through a self-service line;

11 “(c) That may employ some servers to wait on patrons; and

12 “(d) That provides seating suitable for patrons to consume meals.

13 “(2) ‘Healthy vending item’ and ‘local vending item’ have the meanings given those terms by  
14 rules adopted by the Commission for the Blind in consultation with the Public Health Director and  
15 the business enterprise consumer committee.

16 “(3) ‘Person who is blind’ means a person who has not more than 20/200 visual acuity in the  
17 better eye with best correction or whose visual acuity, if better than 20/200, is accompanied by a  
18 limit to the field of vision to such a degree that its widest diameter subtends an angle of no greater  
19 than 20 degrees and whose blindness is certified by a licensed physician who specializes in diseases  
20 of the eye.

21 “(4) ‘Political subdivision’ means a local government as defined in ORS 174.116, a municipality,  
22 town or village of this state.

23 “(5) ‘Public building’ or ‘property’ means a building, land or other real property, or a portion  
24 of a building, land or other real property, that is occupied by a department or an agency of the State  
25 of Oregon or by a political subdivision, except for a public elementary school, a secondary school,  
26 a public university listed in ORS 352.002 or a public corporation created pursuant to ORS 353.020.

27 “(6) ‘Vending facility’ means:

28 “(a) Shelters, counters, shelving, display and wall cases, refrigerating apparatus and other ap-  
29 propriate auxiliary equipment that are necessary or customarily used for the vending of articles,  
30 including an established mix of healthy vending items approved by the Commission for the Blind and  
31 the agency, department or political subdivision charged with maintaining the public building or  
32 property where the vending facility is located;

33 “(b) Vending machines; or

34 “(c) Cafeterias or snack bars for the dispensing of foodstuffs and beverages.

35 “(7) ‘Vending facility manager’ means a person who is:

36 “(a) Blind;

37 “(b) Responsible for the day-to-day conduct of the vending facility operation; and

38 “(c) Licensed under ORS 346.510 to 346.570.

39 “(8) ‘Vending machine’ means a manual or coin-operated machine or a similar device used for  
40 vending articles, including machines or devices that accept electronic payment.

41 “(9) ‘Visitor venue’ means a public building or property that is operated by a political subdivi-  
42 sion of this state and that is:

43 “(a) A convention, event or exposition center;

44 “(b) A zoo;

45 “(c) A performing arts center;



1 “(d) A museum;

2 “(e) A golf course;

3 “(f) A facility primarily used for sporting events; or

4 “(g) A commercial airport owned and operated by a city, **a county** or a port district organized  
5 under ORS chapter 778.

6 “**SECTION 1p.** ORS 811.260 is amended to read:

7 “811.260. Except as provided in ORS 811.265 (2), a driver is in violation of ORS 811.265 if the  
8 driver makes a response to traffic control devices that is not permitted under the following:

9 “(1) Green signal. A driver facing a green light may proceed straight through or turn right or  
10 left unless a sign at that place prohibits either turn. A driver shall yield the right of way to other  
11 vehicles within the intersection at the time the green light is shown.

12 “(2) Green arrow. A driver facing a green arrow signal light, shown alone or in combination  
13 with another signal, may cautiously enter the intersection only to make the movement indicated by  
14 such arrow or such other movement as is permitted by other signals shown at the same time.

15 “(3) Green bicycle signal. A bicyclist facing a green bicycle signal may proceed straight through  
16 or turn right or left unless a sign at that place prohibits either turn. The bicyclist shall yield the  
17 right of way to other vehicles within the intersection at the time the green bicycle signal is shown.

18 “(4) Steady circular yellow signal. A driver facing a steady circular yellow signal light is  
19 thereby warned that the related right of way is being terminated and that a red or flashing red light  
20 will be shown immediately. A driver facing the light shall stop at a clearly marked stop line, but if  
21 none, shall stop before entering the marked crosswalk on the near side of the intersection, or if  
22 there is no marked crosswalk, then before entering the intersection. If a driver cannot stop in safety,  
23 the driver may drive cautiously through the intersection.

24 “(5) Steady yellow arrow signal. A driver facing a steady yellow arrow signal, alone or in com-  
25 bination with other signal indications, is thereby warned that the related right of way is being ter-  
26 minated. Unless entering the intersection to make a movement permitted by another signal, a driver  
27 facing a steady yellow arrow signal shall stop at a clearly marked stop line, but if none, shall stop  
28 before entering the marked crosswalk on the near side of the intersection, or if there is no marked  
29 crosswalk, then before entering the intersection. If a driver cannot stop in safety, the driver may  
30 drive cautiously through the intersection.

31 “(6) Steady yellow bicycle signal. A bicyclist facing a steady yellow bicycle signal is thereby  
32 warned that the related right of way is being terminated and that a red bicycle signal will be shown  
33 immediately. A bicyclist facing a steady yellow bicycle signal shall stop at a clearly marked stop  
34 line, but if none, shall stop before entering the marked crosswalk on the near side of the inter-  
35 section, or if there is no marked crosswalk, then before entering the intersection. If a bicyclist  
36 cannot stop in safety, the bicyclist may proceed cautiously through the intersection.

37 “(7) Steady circular red signal. A driver facing a steady circular red signal light alone shall stop  
38 at a clearly marked stop line, but if none, before entering the marked crosswalk on the near side  
39 of the intersection, or if there is no marked crosswalk, then before entering the intersection. The  
40 driver shall remain stopped until a green light is shown except when the driver is permitted to  
41 proceed under ORS 811.360.

42 “(8) Steady red arrow signal. A driver facing a steady red arrow signal, alone or in combination  
43 with other signal indications, may not enter the intersection to make the movement indicated by the  
44 red arrow signal. Unless entering the intersection to make some other movement which is permitted  
45 by another signal, a driver facing a steady red arrow signal shall stop at a clearly marked stop line,

1 but if none, before entering the marked crosswalk on the near side of the intersection, or if there  
2 is no marked crosswalk, then before entering the intersection. The vehicle shall remain stopped until  
3 a green light is shown except when the driver is permitted to proceed under ORS 811.360.

4 “(9) Steady red bicycle signal. A bicyclist facing a steady red bicycle signal shall stop at a  
5 clearly marked stop line, but if none, before entering the marked crosswalk on the near side of the  
6 intersection, or if there is no marked crosswalk, then before entering the intersection. The bicyclist  
7 shall remain stopped until a green bicycle signal is shown except when the bicyclist is permitted to  
8 proceed under ORS 811.360.

9 “(10) Traffic control devices at places other than intersections. If a traffic control device that  
10 is a signal is erected and maintained at a place other than an intersection, the provisions of this  
11 section relating to signals shall be applicable. A required stop shall be made at a sign or marking  
12 on the roadway indicating where the stop shall be made, but in the absence of such sign or marking  
13 the stop shall be made at the signal.

14 “(11) Flashing red signal. When a driver approaches a flashing red light used in a traffic control  
15 device or with a traffic sign, the driver shall stop at a clearly marked stop line, but if none, before  
16 entering the marked crosswalk on the near side of the intersection, or if there is no marked cross-  
17 walk, then at the point nearest the intersecting roadway where the driver has a view of approaching  
18 traffic on the intersecting roadway before entering it. The right to proceed shall be subject to the  
19 rules applicable after making a stop at a stop sign. This subsection does not apply to:

20 “(a) A person operating a bicycle; or

21 “(b) Drivers at railroad grade crossings. Conduct of a driver approaching a railroad grade  
22 crossing is governed by ORS 811.455.

23 “(12) Flashing circular yellow signal. [*When a driver approaches a flashing circular yellow light*  
24 *used as a signal in a traffic control device or with a traffic sign, the driver may proceed through the*  
25 *intersection or past the signal only with caution.*] **When a driver facing a flashing circular yellow**  
26 **signal approaches an intersection, the driver may cautiously enter the intersection to pro-**  
27 **ceed straight through, turn right or turn left except as such movement is modified by lane**  
28 **use signs, turn prohibition signs, lane markings, roadway design, separate turn signal indi-**  
29 **cations or other traffic control devices.** This subsection does not apply at railroad grade  
30 crossings. Conduct of a driver approaching a railroad grade crossing is governed by ORS 811.455.

31 “(13) Flashing yellow arrow signal. A driver facing a flashing yellow arrow signal, alone or in  
32 combination with other signal indications, may cautiously enter the intersection only to make the  
33 movement indicated by the flashing yellow arrow signal or the movement permitted by other signals  
34 shown at the same time. A driver shall yield the right of way to other vehicles within the inter-  
35 section at the time the flashing yellow arrow signal is shown. In addition, a driver turning left shall  
36 yield the right of way to other vehicles approaching from the opposite direction so closely as to  
37 constitute an immediate hazard during the time when the turning vehicle is moving across or within  
38 the intersection.

39 “(14) Lane direction control signals. When lane direction control signals are placed over the  
40 individual lanes of a highway, a person may drive a vehicle in any lane over which a green signal  
41 light is shown, but may not enter or travel in any lane over which a red signal light is shown.

42 “(15) Stop signs. A driver approaching a stop sign shall stop at a clearly marked stop line, but  
43 if none, before entering the marked crosswalk on the near side of the intersection or, if there is no  
44 marked crosswalk, then at the point nearest the intersecting roadway where the driver has a view  
45 of approaching traffic on the intersecting roadway before entering it. After stopping, the driver shall

1 yield the right of way to any vehicle in the intersection or approaching so close as to constitute an  
2 immediate hazard during the time when the driver is moving across or within the intersection. This  
3 subsection does not apply to a person operating a bicycle.

4 “(16) Yield signs. A driver approaching a yield sign shall slow the driver’s vehicle to a speed  
5 reasonable for the existing conditions and if necessary for safety, shall stop at a line as required for  
6 stop signs under this section, and shall yield the right of way to any vehicles in the intersection or  
7 approaching so closely as to constitute an immediate hazard.

8 “(17) **Flashing yellow beacon. When a flashing yellow beacon is used to supplement an-**  
9 **other traffic control device, a driver shall pay extra attention to the message provided by the**  
10 **beacon and follow the requirements of the other traffic control device, which might not be**  
11 **otherwise applicable at all times.”.**

12 On page 5, delete lines 19 and 20 and insert:

13 “(b) The passenger terminal of a commercial service airport; or”.

14 Delete lines 34 through 45 and delete pages 6 through 8.

15 On page 9, delete lines 1 through 9 and insert:

16 “**SECTION 3.** ORS 825.402 is amended to read:

17 “825.402. (1) Except as provided in subsection (4) of this section, all motor carriers that are  
18 domiciled in Oregon and that receive a certificate or permit from the Department of Transportation  
19 for the first time on or after July 1, 1990, shall participate in the program established under ORS  
20 825.400.

21 “(2) A motor carrier required by subsection (1) of this section to participate in the program must  
22 do so within 90 days of the date on which it receives a certificate or permit from the department.

23 “(3) In addition to motor carriers required to participate in the program established under ORS  
24 825.400, the department may require participation by any motor carrier that:

25 “(a) Has underpaid its tax obligation for the use of the highways by 15 percent or more;

26 “(b) Exceeds by more than 15 percent, in a one-year period, the industry average for out-of-  
27 service violations for vehicle inspection or for accidents per mile; or

28 “(c) Receives, in a one-year period, two or more citations for being 10,000 pounds or more  
29 overweight.

30 “(4) Subsection (1) of this section does not apply to a carrier receiving a certificate or permit  
31 for the first time on or after July 1, 1990, if the carrier is a successor in interest to a carrier that  
32 held a certificate or permit prior to that date.

33 “(5) Rules adopted by the department under ORS 825.400 shall require each motor carrier par-  
34 ticipating in the program to have at least one person having a substantial interest or control, di-  
35 rectly or indirectly, in or over the operations conducted or to be conducted under the certificate  
36 or permit issued to the motor carrier participate in the program. No rule shall require the partic-  
37 ipation of a motor carrier more than one time except for motor carriers required to participate un-  
38 der subsection (3) of this section.

39 “(6) **Rules adopted by the department under ORS 825.400 shall require each motor carrier**  
40 **participating in the program to attend at least eight hours of classroom instruction. The**  
41 **instruction may be provided in person or by an interactive, instructor-led webinar.**

42 “**SECTION 4.** ORS 825.400 is amended to read:

43 “825.400. (1) The Department of Transportation shall adopt rules to establish a program for the  
44 education of motor carriers that covers, at a minimum, safety, weight mile tax and [*insurance*] **reg-**  
45 **istration** and size and weight regulations administered by the department.

1       “(2) The department may appoint agents to carry out the program established under this  
2 section.

3       “(3) Agents shall carry out the program in accordance with rules prescribed by the de-  
4 partment and shall charge and collect the program fees prescribed by law. In addition to the  
5 program fee, the department may authorize any agent other than a department employee to  
6 charge a service fee of \$2.

7       “**SECTION 5.** ORS 825.404 is amended to read:

8       “825.404. The Department of Transportation shall assess a fee to defray the cost of the program,  
9 but the fee [*shall*] may not exceed [*\$60*] **\$200**.

10       “**SECTION 6.** ORS 757.357 is amended to read:

11       “757.357. (1) As used in this section:

12       “(a) ‘Electric company’ has the meaning given that term in ORS 757.600.

13       “(b)(A) ‘**Infrastructure measures**’ includes, but is not limited to, investments in, expenses  
14 related to or rebates for:

15       “(i) **Distribution system infrastructure that supports transportation electrification;**

16       “(ii) **Communication and control technologies that support transportation electrification;**  
17 **and**

18       “(iii) **Behind the meter infrastructure that supports transportation electrification and is**  
19 **owned by an electric company or by a customer.**

20       “(B) ‘**Infrastructure measures**’ does not include investments in or expenses related to  
21 education and outreach activities related to transportation electrification, or other trans-  
22 portation electrification-related activities determined by the Public Utility Commission to be  
23 separate and distinct from the development of infrastructure.

24       “(c) ‘**Retail electricity consumer**’ has the meaning given that term in ORS 757.600.

25       “[(b)] (d) ‘Transportation electrification’ means:

26       “(A) The use of electricity from external sources to provide power to all or part of a vehicle;

27       “(B) Programs related to developing the use of electricity for the purpose described in subpar-  
28 agraph (A) of this paragraph; [*and*]

29       “(C) Infrastructure [*investments*] **measures** related to developing the use of electricity for the  
30 purpose described in subparagraph (A) of this paragraph[.]; **and**

31       “(D) **Programs related to supporting the adoption and service of vehicles powered as de-**  
32 **scribed in subparagraph (A) of this paragraph.**

33       “[(c)] (e) ‘Vehicle’ means a vehicle, vessel, train, boat or any other equipment that is mobile.

34       “(2) The Legislative Assembly finds and declares that:

35       “(a) Transportation electrification is necessary to reduce petroleum use, achieve optimum levels  
36 of energy efficiency and carbon reduction, meet federal and state air quality standards, meet this  
37 state’s greenhouse gas emissions reduction goals described in ORS 468A.205 and improve the public  
38 health and safety;

39       “(b) Widespread transportation electrification requires that electric companies increase access  
40 to the use of electricity as a transportation fuel;

41       “(c) Widespread transportation electrification requires that electric companies increase access  
42 to the use of electricity as a transportation fuel in low and moderate income communities;

43       “(d) Widespread transportation electrification should stimulate innovation and competition, pro-  
44 vide consumers with increased options in the use of charging equipment and in procuring services  
45 from suppliers of electricity, attract private capital investments and create high quality jobs in this

1 state;

2 “(e) Transportation electrification and the purchase and use of electric vehicles should assist in  
3 managing the electrical grid, integrating generation from renewable energy resources and improving  
4 electric system efficiency and operational flexibility, including the ability of an electric company to  
5 integrate variable generating resources;

6 “(f) Deploying transportation electrification and electric vehicles creates the opportunity for an  
7 electric company to propose, to the [Public Utility] commission, that a net benefit for the customers  
8 of the electric company is attainable; and

9 “(g) Charging electric vehicles in a manner that provides benefits to electrical grid management  
10 affords fuel cost savings for vehicle drivers.

11 “(3) The [Public Utility] commission shall direct each electric company to file applications, in a  
12 form and manner prescribed by the commission, for programs to [accelerate] **support** transportation  
13 electrification. A program proposed by an electric company may include prudent investments in or  
14 customer rebates for electric vehicle charging and related infrastructure.

15 “(4) **The commission may allow an electric company to recover costs from retail elec-**  
16 **tricity consumers for prudent infrastructure measures to support transportation**  
17 **electrification if the infrastructure measures are consistent with and meet the requirements**  
18 **of subsection (5) of this section.**

19 “(5) **If undertaken by an electric company, an infrastructure measure to support trans-**  
20 **portation electrification is a utility service and a benefit to utility customers if the**  
21 **infrastructure measure can be reasonably anticipated to:**

22 “(a) **Support reductions of transportation sector greenhouse gas emissions over time; and**

23 “(b) **Benefit the electric company’s customers in ways that may include, but need not be**  
24 **limited to:**

25 “(A) **Distribution or transmission management benefits;**

26 “(B) **Revenues to utilities from electric vehicle charging to offset utilities’ fixed costs**  
27 **that may otherwise be charged to customers;**

28 “(C) **System efficiencies or other economic values inuring to the benefit of customers**  
29 **over the long term; or**

30 “(D) **Increased customer choice through greater transportation electrification**  
31 **infrastructure deployment to increase availability of and access to public and private electric**  
32 **vehicle charging stations.**

33 “[4] (6) When considering a transportation electrification program and determining cost re-  
34 covery for investments and other expenditures **that are not infrastructure measures and that**  
35 **are** related to a program proposed by an electric company under subsection (3) of this section, the  
36 commission shall consider whether the investments and other expenditures:

37 “(a) Are within the service territory of the electric company;

38 “(b) Are prudent as determined by the commission;

39 “(c) Are reasonably expected to be used and useful as determined by the commission;

40 “(d) Are reasonably expected to enable the electric company to support the electric company’s  
41 electrical system;

42 “(e) Are reasonably expected to improve the electric company’s electrical system efficiency and  
43 operational flexibility, including the ability of the electric company to integrate variable generating  
44 resources; and

45 “(f) Are reasonably expected to stimulate innovation, competition and customer choice in elec-

1 tric vehicle charging and related infrastructure and services.

2 “(7) In undertaking infrastructure measures that involve the installation of one or more  
3 electric vehicle charging stations, an electric company must allow for customer choice in the  
4 selection of the type of electric vehicle charging station to be installed, subject to equipment  
5 eligibility as determined by the electric company. An electric company may prequalify mul-  
6 tiple types of eligible electric vehicle charging stations based on criteria determined by the  
7 electric company.

8 “(8) Nothing in this section restricts or prohibits a corporation, company, partnership,  
9 individual or association of individuals exempt from regulation under ORS 757.005 (1)(b)(G)  
10 from furnishing electricity to any number of customers for use in motor vehicles.

11 “[5)(a)] (9)(a) Tariff schedules and rates allowed pursuant to [subsection (3)] subsections (3)  
12 to (6) of this section:

13 “(A) May allow a return of and a return on an investment made by an electric company under  
14 [subsection (3)] subsections (3) to (6) of this section; and

15 “(B) Shall be recovered from [all customers] the retail electricity consumers of an electric  
16 company in a manner [that is similar to the recovery of distribution system investments] determined  
17 by the commission.

18 “(b) A return on investment allowed under this subsection may be earned for a period of time  
19 that does not exceed the depreciation schedule of the investment approved by the commission. When  
20 an electric company’s investment is fully depreciated, the commission may authorize the electric  
21 company to donate the electric vehicle charging infrastructure to the owner of the property on  
22 which the infrastructure is located.

23 “[6)] (10) For purposes of ORS 757.355, electric vehicle charging infrastructure provides utility  
24 service to the customers of an electric company.

25 “[7)] (11) In authorizing programs described in subsection (3) of this section, the commission  
26 shall review data concerning current and future adoption of electric vehicles and utilization of  
27 electric vehicle charging infrastructure. If market barriers unrelated to the investment or expen-  
28 ditures made by an electric company prevent electric vehicles from adequately utilizing available  
29 electric vehicle charging infrastructure, the commission may not permit additional investments in  
30 or expenditures related to supporting transportation electrification without a reasonable showing  
31 that the investments or expenditures would not result in long-term stranded costs recoverable from  
32 the [customers] retail electricity consumers of electric companies.

33 “**SECTION 7. Section 7a of this 2020 Act and ORS 757.357 are added to and made a part**  
34 **of ORS chapter 757.**

35 “**SECTION 7a. (1) As used in this section, ‘natural gas utility’ means a natural gas utility**  
36 **regulated by the Public Utility Commission under ORS chapter 757.**

37 “(2) The commission may allow a natural gas utility to recover costs from all retail na-  
38 tural gas customers for prudent investments in or expenses related to infrastructure meas-  
39 ures that support the adoption and service of alternative forms of transportation vehicles if  
40 the investments or expenses are consistent with and meet the requirements of subsection  
41 (3) of this section. An investment or expense by a natural gas utility may include an invest-  
42 ment in or an expense related to infrastructure behind the customer meter.

43 “(3) An investment in or expense related to infrastructure measures that support the  
44 adoption and service of alternative forms of transportation vehicles is a utility service and  
45 a benefit to retail natural gas customers if the investment or expense can be reasonably

1 anticipated to:

2 “(a) Support the adoption of alternative vehicles that are powered by compressed natural  
3 gas or hydrogen;

4 “(b) Support reductions of transportation sector greenhouse gas emissions over time; and

5 “(c) Benefit the natural gas utility system. Benefits may include, but need not be limited  
6 to:

7 “(A) Distribution or transmission management benefits;

8 “(B) System efficiencies or other economic values inuring to the benefit of retail natural  
9 gas customers over the long term; or

10 “(C) Revenues to utilities from fueling alternative forms of transportation vehicles to  
11 offset utilities’ fixed costs that may otherwise be charged to retail natural gas customers.”.

12 On page 11, delete lines 31 through 45 and delete page 12.

13 On page 13, delete lines 1 through 27 and insert:

14 “**SECTION 14.** ORS 803.102 is amended to read:

15 “803.102. (1) As used in this section:

16 “(a) ‘Transferee’ means any person to whom ownership of a motor vehicle is transferred by  
17 purchase, gift or any other means other than by creation of a security interest and any person who,  
18 as an agent, signs an odometer disclosure statement for the transferee.

19 “(b) ‘Transferor’ means any person who transfers ownership of a motor vehicle by sale, gift or  
20 any means other than by creation of a security interest and any person who, as an agent, signs an  
21 odometer disclosure statement for the transferor.

22 “(2) Except as otherwise provided in this section, upon transfer of any interest in a motor ve-  
23 hicle, an odometer disclosure statement shall be made by the transferor to the transferee. The dis-  
24 closure shall be in a form that complies with the provisions of ORS 803.120 and shall contain the  
25 information required under ORS 803.122.

26 “(3) If a transfer requiring a disclosure statement involves a leased vehicle, the lessor shall no-  
27 tify the lessee that the lessee is required to provide odometer disclosure. The lessee shall furnish  
28 the lessor with a form that complies with the requirements of ORS 803.120 and shall provide the  
29 information required by ORS 803.122 except that for purposes of the required information, the lessee  
30 shall be considered the transferor, the lessor shall be considered the transferee and the date shall  
31 be the date of the disclosure statement.

32 “(4) Where an interest in a vehicle is transferred by operation of law, the Department of  
33 Transportation shall determine by rule whether an odometer disclosure statement is required and  
34 if so, who is required to provide it.

35 “[*(5) The odometer disclosure requirements of this section do not apply upon transfer of an interest  
36 where the transfer is due solely to the creation, release or assignment of a security interest, or upon  
37 transfer of an interest in any of the following:*]

38 “[*(a) A vehicle with a gross vehicle weight rating of more than 16,000 pounds.*]

39 “[*(b) A vehicle that is not self-propelled.*]

40 “[*(c) A vehicle that is at least 10 years old.*]

41 “[*(d) A vehicle that is sold directly by the manufacturer to any agency of the United States in  
42 conformity with contractual specifications.*]

43 “[*(e) A vehicle that is exempted from the requirement by rules of the department.*]

44 “(5) The department, by rule, may exempt vehicles from the odometer disclosure re-  
45 quirements of this section in accordance with federal laws, rules or regulations pertaining

1 **to odometer disclosure requirements.**

2 “(6) A person may provide an odometer reading to the department, in the manner prescribed by  
3 the department by rule, for a vehicle that is 10 years old or older.

4 **“SECTION 15. The amendments to ORS 803.102 by section 14 of this 2020 Act become**  
5 **operative on January 1, 2021.”.**

6 On page 14, line 8, delete “submit” and insert “inspect” and delete “inspection” and insert  
7 “identification”.

8 On page 19, line 4, delete “(5)” and insert “(5)(a)”.

9 In line 5, delete “prioritized in the following order and”.

10 In line 6, delete “(a)” and insert “(A)” and delete “First,”.

11 In line 8, delete “(b)” and insert “(B)” and delete “Second,”.

12 In line 10, delete “(c)” and insert “(C)” and delete “Third,”.

13 In line 11, delete “(A)” and insert “(i)”.

14 In line 13, delete “(B)” and insert “(ii)”.

15 In line 15, delete “(C)” and insert “(iii)”.

16 In line 17, delete “(d)(A)” and insert “(D)(i)” and delete “Fourth,”.

17 In line 18, delete “(B)” and insert “(ii)”.

18 In line 19, delete “paragraph” and insert “subparagraph”.

19 After line 19, insert:

20 “(b) The State Aviation Board may establish by rule priorities for the distributions made pur-  
21 suant to this subsection.”.

22 On page 20, line 9, restore “824.068,”.

23 In line 26, delete “, 824.068”.

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