

HB 4036-4  
(LC 193)  
2/3/20 (HE/ASD/ps)

Requested by JOINT COMMITTEE ON TRANSPORTATION (at the request of the Department of Transportation)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4036**

1 On page 1 of the printed bill, line 3, after “319.330,” insert “319.665,  
2 319.671, 319.950.”

3 In line 4, after “810.180,” insert “811.602, 811.604, 811.605, 811.613, 811.616,  
4 819.010.”

5 On page 4, after line 34, insert:

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

7 “811.602. (1) A disabled person parking permit is a means of identifying  
8 vehicles being used to exercise the parking privileges described in ORS  
9 811.635. The following are disabled person parking permits:

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

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

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

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

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

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

18 “(g) An ‘Oregon Wounded Warrior’ placard or decal issued by the de-  
19 partment under ORS 811.616.

20 “(2) The department shall issue a disabled person parking permit in the  
21 form of a decal or individual placard to any person who submits an appli-

1 cation that complies with ORS 811.604. Nothing in this section prohibits the  
2 department from issuing a decal or individual placard to a person who has  
3 disabled veteran registration plates issued under ORS 805.100 and who qual-  
4 ifies for the decal or placard.

5 “(3) Except as otherwise provided in this subsection, the department may  
6 not issue more than one individual placard to an applicant. The department  
7 may issue a replacement placard upon receipt of proof satisfactory to the  
8 department that the original placard has been lost, mutilated or destroyed.  
9 The department may issue a temporary duplicate permit to a person who  
10 needs a duplicate permit for travel purposes. A temporary duplicate permit  
11 shall be valid for 30 days. The department shall adopt rules governing ap-  
12 plication for and issuance of temporary duplicate permits. Nothing in this  
13 subsection prohibits issuance of an individual placard to a person who has  
14 been issued a decal.

15 “[4] *Permits issued under this section may be renewed by mail.*]

16 “[5] (4) Permits for use on vehicles that are regularly used as part of a  
17 program for the transportation of persons with disabilities are issued as  
18 provided in ORS 811.607.

19 “[6] (5) Except as provided in subsection [(7)] (6) of this section, the  
20 department shall determine the form, size and content of any decal or placard  
21 issued under this section and shall adopt rules governing their issuance,  
22 display and use as necessary to carry out this section.

23 “[7(a)] (6)(a) Except as provided in paragraph (b) of this subsection, the  
24 department may not require a decal or placard issued under this section to  
25 an individual or a family to contain any identifying information about the  
26 person to whom the decal or placard is issued, including any of the follow-  
27 ing:

28 “(A) Name;

29 “(B) Address;

30 “(C) Telephone number;

- 1 “(D) Social Security number;
- 2 “(E) Driver license number;
- 3 “(F) Golf cart driver permit number;
- 4 “(G) Identification card number;
- 5 “(H) Passport or visa number; or
- 6 “(I) Photograph.

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

11 **“(7) A permit that is issued as an original permit and not as a per-**  
12 **mit that is renewed expires on the anniversary of the person’s birthday**  
13 **in the eighth calendar year after the year of issuance.**

14 **“(8) A permit that is renewed expires eight years from the specified**  
15 **expiration date of the immediately preceding permit.**

16 **“SECTION 1b.** ORS 811.602, as amended by section 2, chapter 413,  
17 Oregon Laws 2019, is amended to read:

18 “811.602. (1) A disabled person parking permit is a means of identifying  
19 vehicles being used to exercise the parking privileges described in ORS  
20 811.635. The following are disabled person parking permits:

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

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

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

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

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

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

29 “(g) An ‘Oregon Wounded Warrior’ placard or decal issued by the de-  
30 partment under ORS 811.616.

1 “(2) The department shall issue a disabled person parking permit in the  
2 form of a decal or individual placard to any person who submits an appli-  
3 cation that complies with ORS 811.604. Nothing in this section prohibits the  
4 department from issuing a decal or individual placard to a person who has  
5 disabled veteran registration plates issued under ORS 805.100 and who qual-  
6 ifies for the decal or placard.

7 “(3) Except as otherwise provided in this subsection, the department may  
8 not issue more than one individual placard to an applicant. The department  
9 may issue a replacement placard upon receipt of proof satisfactory to the  
10 department that the original placard has been lost, mutilated or destroyed.  
11 The department may issue a temporary duplicate permit to a person who  
12 needs a duplicate permit for travel purposes. A temporary duplicate permit  
13 shall be valid for 120 days. The department shall adopt rules governing ap-  
14 plication for and issuance of temporary duplicate permits. Nothing in this  
15 subsection prohibits issuance of an individual placard to a person who has  
16 been issued a decal.

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

18 “[~~(5)~~ **(4)** Permits for use on vehicles that are regularly used as part of a  
19 program for the transportation of persons with disabilities are issued as  
20 provided in ORS 811.607.

21 “[~~(6)~~ **(5)** Except as provided in subsection [~~(7)~~ **(6)**] of this section, the  
22 department shall determine the form, size and content of any decal or placard  
23 issued under this section and shall adopt rules governing their issuance,  
24 display and use as necessary to carry out this section.

25 “[~~(7)(a)~~ **(6)(a)** Except as provided in paragraph (b) of this subsection, the  
26 department may not require a decal or placard issued under this section to  
27 an individual or a family to contain any identifying information about the  
28 person to whom the decal or placard is issued, including any of the follow-  
29 ing:

30 “(A) Name;

1       “(B) Address;  
2       “(C) Telephone number;  
3       “(D) Social Security number;  
4       “(E) Driver license number;  
5       “(F) Golf cart driver permit number;  
6       “(G) Identification card number;  
7       “(H) Passport or visa number; or  
8       “(I) Photograph.

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

13       **“(7) A permit that is issued as an original permit and not as a per-  
14 mit that is renewed expires on the anniversary of the person’s birthday  
15 in the eighth calendar year after the year of issuance.**

16       **“(8) A permit that is renewed expires eight years from the specified  
17 expiration date of the immediately preceding permit.**

18       **“SECTION 1c.** ORS 811.604 is amended to read:

19       “811.604. Application for issuance or renewal of a disabled person parking  
20 permit in the form of an individual placard or decal issued under ORS  
21 811.602 shall include:

22       “(1) A certificate, signed and dated within six months preceding the date  
23 of application, by a licensed physician, a licensed nurse practitioner or a li-  
24 censed physician assistant to the Department of Transportation that the ap-  
25 plicant is a person with a disability or a certificate, signed and dated within  
26 six months preceding the date of application, by a licensed optometrist that  
27 the applicant is a person with a disability because of loss of vision or sub-  
28 stantial loss of visual acuity or visual field beyond correction;

29       “(2) The state-issued licensing number of the licensed physician, certified  
30 nurse practitioner, licensed physician assistant or licensed optometrist who

1 signed the certificate described in subsection (1) of this section; and

2 “(3) The number of a [*current, valid*] driver license, [*golf cart*] driver per-  
3 mit, identification card or parking identification card issued to the applicant  
4 by the department.

5 **“SECTION 1d.** ORS 811.605 is amended to read:

6 “811.605. (1) An applicant for an individual placard or decal issued by the  
7 Department of Transportation under ORS 811.602 must have a driver license,  
8 a [*disability golf cart*] driver permit, an identification card or a parking  
9 identification card issued by the department. [*The placard or decal shall be*  
10 *valid so long as the license, permit, identification card or parking identifica-*  
11 *tion card is valid and may be renewed when the license, permit or card is re-*  
12 *newed.*]

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

18 **“(3) A placard or decal that is issued as an original placard or decal**  
19 **and not as a placard or decal that is renewed expires on the anniver-**  
20 **sary of the applicant’s birthday in the eighth calendar year after the**  
21 **year of issuance.**

22 **“(4) A placard or decal that is renewed expires eight years from the**  
23 **specified expiration date of the immediately preceding placard or**  
24 **decal.**

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

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

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

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

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

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

9       “(4) An applicant for a ‘Wheelchair User’ placard or decal issued by the  
10 department under this section must have a driver license, a [*disability golf*  
11 *cart*] driver permit or an identification card issued by the department. [*The*  
12 *placard or decal shall be valid as long as the license, permit or identification*  
13 *card is valid and may be renewed when the license, permit or identification*  
14 *card is renewed.*]

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

18       **“(5) A placard or decal that is issued as an original placard or decal**  
19 **and not as a placard or decal that is renewed expires on the anniver-**  
20 **sary of the person’s birthday in the eighth calendar year after the year**  
21 **of issuance.**

22       **“(6) A placard or decal that is renewed expires eight years from the**  
23 **specified expiration date of the immediately preceding placard or**  
24 **decal.**

25       **“SECTION 1f.** ORS 811.616 is amended to read:

26       “811.616. (1) The Department of Transportation shall issue an ‘Oregon  
27 Wounded Warrior’ disabled person parking permit in the form of an ‘Oregon  
28 Wounded Warrior’ placard or decal for use by a wounded warrior.

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

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

5 “(b) Received a discharge or release under other than dishonorable con-  
6 ditions.

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

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

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

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

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

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

25 “**(6) A placard or decal that is issued as an original placard or decal**  
26 **and not as a placard or decal that is renewed expires on the anniver-**  
27 **sary of the person’s birthday in the eighth calendar year after the year**  
28 **of issuance.**

29 “**(7) A placard or decal that is renewed expires eight years from the**  
30 **specified expiration date of the immediately preceding placard or**



1 **decal.**

2 **“SECTION 1g.** ORS 319.665 is amended to read:

3 “319.665. (1) The seller of fuel for use in a motor vehicle shall collect the  
4 tax provided by ORS 319.530 at the time the fuel is sold, unless one of the  
5 following situations applies:

6 “[*(a) The Department of Transportation has issued a weight identifier un-*  
7 *der ORS 825.450 for the vehicle into which the seller delivers or places the*  
8 *fuel.*]

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

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

18 “(c) A cardlock card is used for purchase of the fuel at an attended por-  
19 tion of a retail facility equipped with a cardlock card reader, in which case  
20 the cardlock card issuer licensed in this state is responsible for collecting  
21 and remitting the tax unless the person making the purchase certifies to the  
22 seller that the use of the fuel is exempt from the tax imposed under ORS  
23 319.530.

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

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

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

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

6 **“SECTION 1h.** ORS 319.671 is amended to read:

7 “319.671. (1) The seller of fuel for any purpose shall make a duplicate in-  
8 voice for every sale of fuel for any purpose and shall retain one copy and  
9 give the other copy to the user. The Department of Transportation may pre-  
10 scribe the form of the invoice. The invoice shall show:

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

12 “(b) The date;

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

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

15 “(2) In addition to the invoice entries listed in subsection (1) of this sec-  
16 tion, the seller of fuel for use in a motor vehicle shall indicate on the invoice  
17 the amount of the tax collected, if any, and:

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

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

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

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

25 “(3) Notwithstanding subsection (1) of this section, this section does not  
26 require any invoice to be prepared for any sale where fuel is delivered into  
27 the fuel tank of a vehicle described in this subsection unless the operator  
28 of the vehicle requests an invoice. If an invoice is prepared under this sub-  
29 section, the name and address of a user is not required to be shown on the  
30 invoice for sales where the fuel is delivered into the fuel tanks of vehicles

1 described in this subsection. This subsection applies to vehicles:

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

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

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

6 **“SECTION 1i.** ORS 819.010 is amended to read:

7 “819.010. (1) A person commits the offense of failure to comply with re-  
8 quirements for destruction of a vehicle if the person wrecks, dismantles[,]  
9 **or** disassembles [*or substantially alters*] the form of any vehicle that is or is  
10 required to be registered or titled under the vehicle code or under ORS  
11 chapter 826 and the person does not comply with all of the following:

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

16 “(b) If the vehicle is visible from a public right of way, the person must  
17 complete the wrecking, dismantling[,] **or** disassembling [*or substantial alter-*  
18 *ation*] of **the form of the vehicle** within 30 days from the commencement  
19 thereof.

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

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

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

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

3       “(3) The offense described in this section, failure to comply with require-  
4 ments for destruction of vehicle, is a Class A misdemeanor.

5       “**SECTION 1j.** ORS 319.950 is amended to read:

6       “319.950. (1) **The governing body of** a city, county or other local gov-  
7 ernment may enact or amend any charter provision, ordinance, resolution or  
8 other provision taxing fuel for motor vehicles after submitting the proposed  
9 tax to the electors of the local government for their approval.

10       “(2) **The governing body of a local government that imposes a tax**  
11 **on fuel for motor vehicles pursuant to this section may enter into an**  
12 **agreement with the Department of Transportation pursuant to which**  
13 **the department shall collect and distribute the revenues from the tax.**

14       “**SECTION 1k.** **The amendments to ORS 319.950 by section 1j of this**  
15 **2020 Act apply to agreements entered into on or after January 1, 1977,**  
16 **by the governing body of a city, county or other local government with**  
17 **the Department of Transportation for purposes of the collection and**  
18 **distribution of revenues from taxes on fuel for motor vehicles by the**  
19 **department.”.**

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