

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

Requested by JOINT COMMITTEE ON TRANSPORTATION (at the request of Senator Lee Beyer
and Representative Caddy McKeown)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4036**

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the
2 line and insert “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,
5 803.102, 803.210, 807.072, 811.260, 811.602, 811.604, 811.605, 811.613, 811.616,
6 819.010, 819.016, 824.022, 824.026,”.

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

9 In line 6, delete “, 824.068”.

10 Delete lines 14 through 31.

11 Delete pages 2 and 3.

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

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

14 “811.602. (1) A disabled person parking permit is a means of identifying
15 vehicles being used to exercise the parking privileges described in ORS
16 811.635. The following are disabled person parking permits:

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

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

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

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

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

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

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

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

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

22 “[4] *Permits issued under this section may be renewed by mail.*]

23 “[5] **(4)** Permits for use on vehicles that are regularly used as part of a
24 program for the transportation of persons with disabilities are issued as
25 provided in ORS 811.607.

26 “[6] **(5)** Except as provided in subsection [(7)] **(6)** of this section, the
27 department shall determine the form, size and content of any decal or placard
28 issued under this section and shall adopt rules governing their issuance,
29 display and use as necessary to carry out this section.

30 “[7)(a)] **(6)(a)** Except as provided in paragraph (b) of this subsection, the

1 department may not require a decal or placard issued under this section to
2 an individual or a family to contain any identifying information about the
3 person to whom the decal or placard is issued, including any of the follow-
4 ing:

5 “(A) Name;

6 “(B) Address;

7 “(C) Telephone number;

8 “(D) Social Security number;

9 “(E) Driver license number;

10 “(F) Golf cart driver permit number;

11 “(G) Identification card number;

12 “(H) Passport or visa number; or

13 “(I) Photograph.

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

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

20 “811.602. (1) A disabled person parking permit is a means of identifying
21 vehicles being used to exercise the parking privileges described in ORS
22 811.635. The following are disabled person parking permits:

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

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

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

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

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

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

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

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

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

19 “[4] *Permits issued under this section may be renewed by mail.*]

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

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

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

1 ing:

2 “(A) Name;

3 “(B) Address;

4 “(C) Telephone number;

5 “(D) Social Security number;

6 “(E) Driver license number;

7 “(F) Golf cart driver permit number;

8 “(G) Identification card number;

9 “(H) Passport or visa number; or

10 “(I) Photograph.

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

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

17 **“SECTION 1c. The Department of Transportation shall invalidate
18 a disabled parking permit issued under ORS 811.602 if any of the fol-
19 lowing occurs:**

20 **“(1) The person issued an individual or ‘Wheelchair User’ placard
21 or permit has since obtained a driver license or driver permit issued
22 by another jurisdiction or has since obtained an identification card in
23 another jurisdiction that is similar to person’s identification card is-
24 sued by this state.**

25 **“(2) The department receives notice that the person issued a disa-
26 bled parking permit is deceased.**

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

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

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

2 “811.604. Application for issuance or renewal of a disabled person parking
3 permit in the form of an individual placard or decal issued under ORS
4 811.602 shall include:

5 “(1) A certificate, signed and dated within six months preceding the date
6 of application, by a licensed physician, a licensed nurse practitioner or a li-
7 censed physician assistant to the Department of Transportation that the ap-
8 plicant is a person with a disability or a certificate, signed and dated within
9 six months preceding the date of application, by a licensed optometrist that
10 the applicant is a person with a disability because of loss of vision or sub-
11 stantial loss of visual acuity or visual field beyond correction;

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

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

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

19 “811.605. (1) An applicant for an individual placard or decal issued by the
20 Department of Transportation under ORS 811.602 must have a driver license,
21 a [*disability golf cart*] driver permit, an identification card or a parking
22 identification card issued by the department. [*The placard or decal shall be*
23 *valid so long as the license, permit, identification card or parking identifica-*
24 *tion card is valid and may be renewed when the license, permit or card is re-*
25 *newed.*]

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

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

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

5 “811.613. (1) The Department of Transportation shall issue a ‘Wheelchair
6 User’ disabled person parking permit in the form of a ‘Wheelchair User’
7 placard or decal for use by a person who uses a wheelchair or similar low-
8 powered motorized or mechanically propelled vehicle designed specifically for
9 use by a person with a physical disability.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 “(6) **A placard or decal issued under this section shall be valid for**

1 a period of eight years from the date of issue. A placard or decal may
2 be renewed in a manner determined by the Department of Transpor-
3 tation by rule.

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

5 “819.016. (1) Except as provided in subsection (2) of this section, when the
6 provisions of ORS 819.010, 819.012 or 819.014 require a person to surrender
7 to the Department of Transportation a certificate of title for a vehicle, or
8 when a person acquires a vehicle under the provisions of ORS 819.215, the
9 person shall apply to the department for a salvage title for the vehicle. The
10 application shall comply with the requirements of ORS 803.140.

11 “(2) When the person is not required to surrender a certificate of title
12 because title for the vehicle was issued in some other form, the person shall
13 follow procedures adopted by the department by rule.

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

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

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

21 **“(b) The person rebuilds or repairs the vehicle and applies to title**
22 **the vehicle with the designation of assembled, reconstructed or rep-**
23 **lica.**

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

25 “824.068. (1) The Department of Transportation shall prescribe standards
26 for water quality [*and sanitation facilities*] on railroad locomotives [*and*
27 *cabooes*] in this state.

28 “(2) The department may for good cause shown permit variances from the
29 standards so prescribed.

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

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

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

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

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

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

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

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

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

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

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

5 “319.671. (1) The seller of fuel for any purpose shall make a duplicate in-
6 voice for every sale of fuel for any purpose and shall retain one copy and
7 give the other copy to the user. The Department of Transportation may pre-
8 scribe the form of the invoice. The invoice shall show:

9 “(a) The seller’s name and address;

10 “(b) The date;

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

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

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

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

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

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

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

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

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

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

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

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

5 “819.010. (1) A person commits the offense of failure to comply with re-
6 quirements for destruction of a vehicle if the person wrecks, dismantles[,]
7 **or** disassembles [*or substantially alters*] the form of any vehicle that is or is
8 required to be registered or titled under the vehicle code or under ORS
9 chapter 826 and the person does not comply with all of the following:

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

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

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

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

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

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

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

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

4 “319.950. (1) **The governing body of** a city, county or other local gov-
5 ernment may enact or amend any charter provision, ordinance, resolution or
6 other provision taxing fuel for motor vehicles after submitting the proposed
7 tax to the electors of the local government for their approval.

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

12 **“SECTION 1n.** The amendments to ORS 319.950 by section 1m of this
13 **2020 Act apply to agreements entered into on or after January 1, 1977,**
14 **by the governing body of a city, county or other local government with**
15 **the Department of Transportation for purposes of the collection and**
16 **distribution of revenues from taxes on fuel for motor vehicles by the**
17 **department.**

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

19 “346.510. As used in ORS 346.510 to 346.570:

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

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

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

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

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

25 “(2) ‘Healthy vending item’ and ‘local vending item’ have the meanings
26 given those terms by rules adopted by the Commission for the Blind in con-
27 sultation with the Public Health Director and the business enterprise con-
28 sumer committee.

29 “(3) ‘Person who is blind’ means a person who has not more than 20/200
30 visual acuity in the better eye with best correction or whose visual acuity,

1 if better than 20/200, is accompanied by a limit to the field of vision to such
2 a degree that its widest diameter subtends an angle of no greater than 20
3 degrees and whose blindness is certified by a licensed physician who spe-
4 cializes in diseases of the eye.

5 “(4) ‘Political subdivision’ means a local government as defined in ORS
6 174.116, a municipality, town or village of this state.

7 “(5) ‘Public building’ or ‘property’ means a building, land or other real
8 property, or a portion of a building, land or other real property, that is oc-
9 cupied by a department or an agency of the State of Oregon or by a political
10 subdivision, except for a public elementary school, a secondary school, a
11 public university listed in ORS 352.002 or a public corporation created pur-
12 suant to ORS 353.020.

13 “(6) ‘Vending facility’ means:

14 “(a) Shelters, counters, shelving, display and wall cases, refrigerating ap-
15 paratus and other appropriate auxiliary equipment that are necessary or
16 customarily used for the vending of articles, including an established mix
17 of healthy vending items approved by the Commission for the Blind and the
18 agency, department or political subdivision charged with maintaining the
19 public building or property where the vending facility is located;

20 “(b) Vending machines; or

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

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

24 “(a) Blind;

25 “(b) Responsible for the day-to-day conduct of the vending facility opera-
26 tion; and

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

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

1 “(9) ‘Visitor venue’ means a public building or property that is operated
2 by a political subdivision of this state and that is:

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

4 “(b) A zoo;

5 “(c) A performing arts center;

6 “(d) A museum;

7 “(e) A golf course;

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

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

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

12 “811.260. Except as provided in ORS 811.265 (2), a driver is in violation
13 of ORS 811.265 if the driver makes a response to traffic control devices that
14 is not permitted under the following:

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

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

23 “(3) Green bicycle signal. A bicyclist facing a green bicycle signal may
24 proceed straight through or turn right or left unless a sign at that place
25 prohibits either turn. The bicyclist shall yield the right of way to other ve-
26 hicles within the intersection at the time the green bicycle signal is shown.

27 “(4) Steady circular yellow signal. A driver facing a steady circular yel-
28 low signal light is thereby warned that the related right of way is being
29 terminated and that a red or flashing red light will be shown immediately.
30 A driver facing the light shall stop at a clearly marked stop line, but if none,

1 shall stop before entering the marked crosswalk on the near side of the
2 intersection, or if there is no marked crosswalk, then before entering the
3 intersection. If a driver cannot stop in safety, the driver may drive cau-
4 tiously through the intersection.

5 “(5) Steady yellow arrow signal. A driver facing a steady yellow arrow
6 signal, alone or in combination with other signal indications, is thereby
7 warned that the related right of way is being terminated. Unless entering the
8 intersection to make a movement permitted by another signal, a driver facing
9 a steady yellow arrow signal shall stop at a clearly marked stop line, but if
10 none, shall stop before entering the marked crosswalk on the near side of the
11 intersection, or if there is no marked crosswalk, then before entering the
12 intersection. If a driver cannot stop in safety, the driver may drive cau-
13 tiously through the intersection.

14 “(6) Steady yellow bicycle signal. A bicyclist facing a steady yellow bi-
15 cycle signal is thereby warned that the related right of way is being termi-
16 nated and that a red bicycle signal will be shown immediately. A bicyclist
17 facing a steady yellow bicycle signal shall stop at a clearly marked stop line,
18 but if none, shall stop before entering the marked crosswalk on the near side
19 of the intersection, or if there is no marked crosswalk, then before entering
20 the intersection. If a bicyclist cannot stop in safety, the bicyclist may pro-
21 ceed cautiously through the intersection.

22 “(7) Steady circular red signal. A driver facing a steady circular red sig-
23 nal light alone shall stop at a clearly marked stop line, but if none, before
24 entering the marked crosswalk on the near side of the intersection, or if
25 there is no marked crosswalk, then before entering the intersection. The
26 driver shall remain stopped until a green light is shown except when the
27 driver is permitted to proceed under ORS 811.360.

28 “(8) Steady red arrow signal. A driver facing a steady red arrow signal,
29 alone or in combination with other signal indications, may not enter the
30 intersection to make the movement indicated by the red arrow signal. Unless

1 entering the intersection to make some other movement which is permitted
2 by another signal, a driver facing a steady red arrow signal shall stop at a
3 clearly marked stop line, but if none, before entering the marked crosswalk
4 on the near side of the intersection, or if there is no marked crosswalk, then
5 before entering the intersection. The vehicle shall remain stopped until a
6 green light is shown except when the driver is permitted to proceed under
7 ORS 811.360.

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

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

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

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

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

1 “(12) Flashing circular yellow signal. [*When a driver approaches a flash-*
2 *ing circular yellow light used as a signal in a traffic control device or with*
3 *a traffic sign, the driver may proceed through the intersection or past the sig-*
4 *nal only with caution.*] **When a driver facing a flashing circular yellow**
5 **signal approaches an intersection, the driver may cautiously enter the**
6 **intersection to proceed straight through, turn right or turn left except**
7 **as such movement is modified by lane use signs, turn prohibition**
8 **signs, lane markings, roadway design, separate turn signal indications**
9 **or other traffic control devices.** This subsection does not apply at railroad
10 grade crossings. Conduct of a driver approaching a railroad grade crossing
11 is governed by ORS 811.455.

12 “(13) Flashing yellow arrow signal. A driver facing a flashing yellow ar-
13 row signal, alone or in combination with other signal indications, may cau-
14 tiously enter the intersection only to make the movement indicated by the
15 flashing yellow arrow signal or the movement permitted by other signals
16 shown at the same time. A driver shall yield the right of way to other ve-
17 hicles within the intersection at the time the flashing yellow arrow signal
18 is shown. In addition, a driver turning left shall yield the right of way to
19 other vehicles approaching from the opposite direction so closely as to con-
20 stitute an immediate hazard during the time when the turning vehicle is
21 moving across or within the intersection.

22 “(14) Lane direction control signals. When lane direction control signals
23 are placed over the individual lanes of a highway, a person may drive a ve-
24 hicle in any lane over which a green signal light is shown, but may not enter
25 or travel in any lane over which a red signal light is shown.

26 “(15) Stop signs. A driver approaching a stop sign shall stop at a clearly
27 marked stop line, but if none, before entering the marked crosswalk on the
28 near side of the intersection or, if there is no marked crosswalk, then at the
29 point nearest the intersecting roadway where the driver has a view of ap-
30 proaching traffic on the intersecting roadway before entering it. After stop-

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

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

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

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

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

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

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

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

20 “825.402. (1) Except as provided in subsection (4) of this section, all motor
21 carriers that are domiciled in Oregon and that receive a certificate or permit
22 from the Department of Transportation for the first time on or after July 1,
23 1990, shall participate in the program established under ORS 825.400.

24 “(2) A motor carrier required by subsection (1) of this section to partic-
25 ipate in the program must do so within 90 days of the date on which it re-
26 ceives a certificate or permit from the department.

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

30 “(a) Has underpaid its tax obligation for the use of the highways by 15

1 percent or more;

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

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

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

11 “(5) Rules adopted by the department under ORS 825.400 shall require
12 each motor carrier participating in the program to have at least one person
13 having a substantial interest or control, directly or indirectly, in or over the
14 operations conducted or to be conducted under the certificate or permit is-
15 sued to the motor carrier participate in the program. No rule shall require
16 the participation of a motor carrier more than one time except for motor
17 carriers required to participate under subsection (3) of this section.

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

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

23 “825.400. (1) The Department of Transportation shall adopt rules to es-
24 tablish a program for the education of motor carriers that covers, at a min-
25 imum, safety, weight mile tax and [*insurance*] **registration** and size and
26 weight regulations administered by the department.

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

29 **“(3) Agents shall carry out the program in accordance with rules**
30 **prescribed by the department and shall charge and collect the program**

1 **fees prescribed by law. In addition to the program fee, the department**
2 **may authorize any agent other than a department employee to charge**
3 **a service fee of \$2.**

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

5 “825.404. The Department of Transportation shall assess a fee to defray
6 the cost of the program, but the fee [*shall*] **may** not exceed [~~\$60~~] **\$200.**

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

8 “757.357. (1) As used in this section:

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

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

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

14 **“(ii) Communication and control technologies that support trans-**
15 **portation electrification; and**

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

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

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

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

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

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

30 **“(C) Infrastructure [*investments*] **measures** related to developing the use**

1 of electricity for the purpose described in subparagraph (A) of this
2 paragraph[.]; and

3 **“(D) Programs related to supporting the adoption and service of**
4 **vehicles powered as described in subparagraph (A) of this paragraph.**

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

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

8 “(a) Transportation electrification is necessary to reduce petroleum use,
9 achieve optimum levels of energy efficiency and carbon reduction, meet fed-
10 eral and state air quality standards, meet this state’s greenhouse gas emis-
11 sions reduction goals described in ORS 468A.205 and improve the public
12 health and safety;

13 “(b) Widespread transportation electrification requires that electric com-
14 panies increase access to the use of electricity as a transportation fuel;

15 “(c) Widespread transportation electrification requires that electric com-
16 panies increase access to the use of electricity as a transportation fuel in low
17 and moderate income communities;

18 “(d) Widespread transportation electrification should stimulate innovation
19 and competition, provide consumers with increased options in the use of
20 charging equipment and in procuring services from suppliers of electricity,
21 attract private capital investments and create high quality jobs in this state;

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

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

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

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

8 “(4) **The commission may allow an electric company to recover**
9 **costs from retail electricity consumers for prudent infrastructure**
10 **measures to support transportation electrification if the infrastructure**
11 **measures are consistent with and meet the requirements of subsection**
12 **(5) of this section.**

13 “(5) **If undertaken by an electric company, an infrastructure meas-**
14 **ure to support transportation electrification is a utility service and a**
15 **benefit to utility customers if the infrastructure measure can be rea-**
16 **sonably anticipated to:**

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

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

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

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

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

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

29 “[~~4~~] (6) **When considering a transportation electrification program and**
30 **determining cost recovery for investments and other expenditures **that are****

1 **not infrastructure measures and that are** related to a program proposed
2 by an electric company under subsection (3) of this section, the commission
3 shall consider whether the investments and other expenditures:

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

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

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

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

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

13 “(f) Are reasonably expected to stimulate innovation, competition and
14 customer choice in electric vehicle charging and related infrastructure and
15 services.

16 **“(7) In undertaking infrastructure measures that involve the in-**
17 **stallation of one or more electric vehicle charging stations, an electric**
18 **company must allow for customer choice in the selection of the type**
19 **of electric vehicle charging station to be installed, subject to equip-**
20 **ment eligibility as determined by the electric company. An electric**
21 **company may prequalify multiple types of eligible electric vehicle**
22 **charging stations based on criteria determined by the electric com-**
23 **pany.**

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

28 “[5(a)] **(9)(a)** Tariff schedules and rates allowed pursuant to [subsection
29 **(3)] subsections (3) to (6)** of this section:

30 “(A) May allow a return of and a return on an investment made by an

1 electric company under [subsection (3)] **subsections (3) to (6)** of this section;
2 and

3 “(B) Shall be recovered from [all customers] **the retail electricity con-**
4 **sumers** of an electric company in a manner [that is similar to the recovery
5 of distribution system investments] **determined by the commission.**

6 “(b) A return on investment allowed under this subsection may be earned
7 for a period of time that does not exceed the depreciation schedule of the
8 investment approved by the commission. When an electric company’s invest-
9 ment is fully depreciated, the commission may authorize the electric company
10 to donate the electric vehicle charging infrastructure to the owner of the
11 property on which the infrastructure is located.

12 “[6] **(10)** For purposes of ORS 757.355, electric vehicle charging
13 infrastructure provides utility service to the customers of an electric com-
14 pany.

15 “[7] **(11)** In authorizing programs described in subsection (3) of this
16 section, the commission shall review data concerning current and future
17 adoption of electric vehicles and utilization of electric vehicle charging
18 infrastructure. If market barriers unrelated to the investment **or expendi-**
19 **tures** made by an electric company prevent electric vehicles from adequately
20 utilizing available electric vehicle charging infrastructure, the commission
21 may not permit additional investments in **or expenditures related to sup-**
22 **porting** transportation electrification without a reasonable showing that the
23 investments **or expenditures** would not result in long-term stranded costs
24 recoverable from the [customers] **retail electricity consumers** of electric
25 companies.

26 “**SECTION 7. Section 7a of this 2020 Act and ORS 757.357 are added**
27 **to and made a part of ORS Chapter 757.**

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

1 **“(2) The commission may allow a natural gas utility to recover**
2 **costs from all retail natural gas customers for prudent investments in**
3 **or expenses related to infrastructure measures that support the**
4 **adoption and service of alternative forms of transportation vehicles if**
5 **the investments or expenses are consistent with and meet the re-**
6 **quirements of subsection (3) of this section. An investment or expense**
7 **by a natural gas utility may include an investment in or an expense**
8 **related to infrastructure behind the customer meter.**

9 **“(3) An investment in or expense related to infrastructure measures**
10 **that support the adoption and service of alternative forms of trans-**
11 **portation vehicles is a utility service and a benefit to retail natural**
12 **gas customers if the investment or expense can be reasonably antic-**
13 **ipated to:**

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

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

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

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

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

23 **“(C) Revenues to utilities from fueling alternative forms of trans-**
24 **portation vehicles to offset utilities’ fixed costs that may otherwise be**
25 **charged to retail natural gas customers.”.**

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

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

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

29 **“803.102. (1) As used in this section:**

30 **“(a) ‘Transferee’ means any person to whom ownership of a motor vehicle**

1 is transferred by purchase, gift or any other means other than by creation
2 of a security interest and any person who, as an agent, signs an odometer
3 disclosure statement for the transferee.

4 “(b) ‘Transferor’ means any person who transfers ownership of a motor
5 vehicle by sale, gift or any means other than by creation of a security in-
6 terest and any person who, as an agent, signs an odometer disclosure state-
7 ment for the transferor.

8 “(2) Except as otherwise provided in this section, upon transfer of any
9 interest in a motor vehicle, an odometer disclosure statement shall be made
10 by the transferor to the transferee. The disclosure shall be in a form that
11 complies with the provisions of ORS 803.120 and shall contain the informa-
12 tion required under ORS 803.122.

13 “(3) If a transfer requiring a disclosure statement involves a leased vehi-
14 cle, the lessor shall notify the lessee that the lessee is required to provide
15 odometer disclosure. The lessee shall furnish the lessor with a form that
16 complies with the requirements of ORS 803.120 and shall provide the infor-
17 mation required by ORS 803.122 except that for purposes of the required in-
18 formation, the lessee shall be considered the transferor, the lessor shall be
19 considered the transferee and the date shall be the date of the disclosure
20 statement.

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

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

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

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

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

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

4 “[(e) A vehicle that is exempted from the requirement by rules of the de-
5 partment.]

6 “(5) The department, by rule, may exempt vehicles from the
7 odometer disclosure requirements of this section in accordance with
8 federal laws, rules or regulations pertaining to odometer disclosure
9 requirements.

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

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

15 On page 14, line 8, delete “submit” and insert “inspect” and delete “in-
16 spection” and insert “identification”.

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

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

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

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

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

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

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

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

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

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

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

28 After line 19, insert:

29 “(b) The State Aviation Board may establish by rule priorities for the
30 distributions made pursuant to this subsection.”.

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

2 In line 26, delete “, 824.068”.

3 _____