

House Bill 2482

Sponsored by Representative POWER (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Removes entering or remaining unlawfully in or on public transit vehicle or public transit station as manner of committing crime of interfering with public transportation.

Provides that use of certain name other than name displayed on government-issued identification document does not constitute crime of giving false information to peace officer in connection with citation or warrant or crime of giving false information to police officer.

Prohibits police officer from conducting or participating in activities intended to determine whether person has paid certain user charges, fees or tolls imposed by mass transit district.

A BILL FOR AN ACT

1
2 Relating to public safety; creating new provisions; and amending ORS 162.385, 166.116 and 807.620.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 166.116 is amended to read:

5 166.116. (1) A person commits the crime of interfering with public transportation if the person:

6 [(a) *Intentionally or knowingly enters or remains unlawfully in or on a public transit vehicle or*
7 *public transit station;*]

8 [(b)] (a) Intentionally or knowingly interferes with the provision or use of public transportation
9 services by, among other things, interfering with the movement of, or access to, public transit ve-
10 hicles;

11 [(c)] (b) While in or on a public transit vehicle or public transit station, engages in disorderly
12 conduct in the second degree as defined in ORS 166.025; or

13 [(d)] (c) Subjects a public transportation passenger, employee, agent or security officer or transit
14 police officer to offensive physical contact.

15 [(2)(a)(A) *Interfering with public transportation as provided in subsection (1)(a) of this section is*
16 *a Class C misdemeanor.*]

17 [(B) *Notwithstanding subparagraph (A) of this paragraph, interfering with public transportation*
18 *as provided in subsection (1)(a) of this section is a Class A misdemeanor if the person has three or*
19 *more prior convictions for interfering with public transportation as provided in subsection (1)(a) of this*
20 *section.*]

21 [(b)] (2) Interfering with public transportation [*as provided in subsection (1)(b) to (d) of this sec-*
22 *tion*] is a Class A misdemeanor.

23 (3) As used in this section:

24 [(a) *“Enter or remain unlawfully” has the meaning given that term in ORS 164.205.*]

25 [(b)] (a) “Public transit station” includes all facilities, structures, lands and rights of way that
26 are owned, leased, held or used for the purposes of providing public transportation services.

27 [(c)] (b) “Public transit vehicle” means a vehicle that is used for public transportation or oper-
28 ated by or under contract to any public body in order to provide public transportation.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 [(d)] (c) "Public transportation" means transportation provided by a city, county, special district
 2 or any other political subdivision or municipal or public corporation.

3 **SECTION 2.** ORS 162.385 is amended to read:

4 162.385. (1) A person commits the crime of giving false information to a peace officer in con-
 5 nection with a citation or warrant if the person knowingly uses or gives a false or fictitious name,
 6 address or date of birth to any peace officer when:

7 (a) The peace officer is issuing or serving the person a citation under authority of ORS 133.055
 8 to 133.076 or ORS chapter 153; or

9 (b) There is an outstanding warrant for the person's arrest.

10 (2) Giving false information to a peace officer in connection with a citation or warrant is a Class
 11 A misdemeanor.

12 **(3) As used in this section:**

13 (a) "False or fictitious name" does not include a preferred name if the officer is able to
 14 ascertain the person's identity using another government-issued identification document or
 15 information provided by the person.

16 (b) "Preferred name" means a name other than the name displayed on a person's
 17 government-issued identification document that is used regularly by the person:

18 (A) As a form of gender expression;

19 (B) To avoid a risk to personal safety; or

20 (C) For a professional or official purpose, if the name has been associated with the
 21 person's legal name in an official government record.

22 **SECTION 3.** ORS 807.620 is amended to read:

23 807.620. (1) A person commits the offense of giving false information to a police officer if the
 24 person knowingly uses or gives a false or fictitious name, address or date of birth to any police of-
 25 ficer who is enforcing motor vehicle laws.

26 (2) The offense described in this section, giving false information to a police officer, is a Class
 27 A misdemeanor.

28 **(3) As used in this section:**

29 (a) "False or fictitious name" does not include a preferred name if the officer is able to
 30 ascertain the person's identity using another government-issued identification document or
 31 information provided by the person.

32 (b) "Preferred name" means a name other than the name displayed on a person's
 33 government-issued identification document that is used regularly by the person:

34 (A) As a form of gender expression;

35 (B) To avoid a risk to personal safety; or

36 (C) For a professional or official purpose, if the name has been associated with the
 37 person's legal name in an official government record.

38 **SECTION 4.** (1) A police officer may not conduct or participate in activities intended to
 39 determine whether a person has paid user charges, fees or tolls imposed by a mass transit
 40 district under ORS 267.320.

41 (2) Nothing in this section prohibits a police officer from enforcing laws that are not re-
 42 lated to payment of user charges, fees or tolls imposed by a mass transit district under ORS
 43 267.320.

44 (3) As used in this section, "police officer" has the meaning given that term in ORS
 45 181A.355.

