

**SB 343 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. Kropf

**House Committee On Judiciary**

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**Action Date:** 05/15/23

**Action:** Do Pass the A-Eng bill.

**Vote:** 9-1-0-0

**Yeas:** 9 - Andersen, Chaichi, Conrad, Kropf, Lewis, Morgan, Reynolds, Tran, Wallan

**Nays:** 1 - Bynum

**Fiscal:** Has minimal fiscal impact

**Revenue:** Has minimal revenue impact

**Prepared By:** Adrienne Anderson, LPRO Analyst

**Meeting Dates:** 5/9, 5/15

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**WHAT THE MEASURE DOES:**

Clarifies that incarceration means confinement in a Department of Corrections (DOC) institution, as defined in ORS 421.005, for persons who had their driver's license suspended or revoked as part of a criminal sentence and their sentence included incarceration for applications to have their driver's license reinstated. Provides that Section 1 and 2 of the Act apply to driving privileges suspended or revoked on or after the effective date of the Act.

**ISSUES DISCUSSED:**

- When the suspension begins for someone released from physical DOC custody on transitional leave
- Incorrect suspensions have been occurring for 20 years

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Under the current statute, a driver's license suspension begins when a person completes any term of incarceration, either in the Department of Corrections (DOC) or local jail. When the person is released from any custody, they must affirmatively notify the Department of Motor Vehicles (DMV) so that their suspension may begin to toll and oftentimes they do not notify the DMV. This resulted in suspensions lasting longer than the required statutory period and people being charged with Driving While Suspended when they actually should not have been suspended. DOC can notify the DMV on the released person's behalf, but local jails do not have this ability.

Senate Bill 343 A clarifies that incarceration means confinement in a Department of Corrections institution for persons who had their driver's license suspended or revoked as part of a criminal sentence and their sentence included incarceration for applications to have their driver's license reinstated and that the clarification in the definition of incarceration only applies to driving privileges suspended or revoked on or after the effective date of the Act.