

SENATE AMENDMENTS TO SENATE BILL 1574

By COMMITTEE ON JUDICIARY

February 20

1 On page 1 of the printed bill, line 3, delete “and 807.115” and insert “, 802.240, 807.115, 811.700,
2 811.705, 811.710, 811.720 811.725, 811.730, 811.735, 811.740, 811.745, 811.748 and 811.750”.

3 On page 6, after line 12, insert:

4 **“SECTION 4a. For the purpose of requesting a state or nationwide criminal records
5 check under ORS 181A.195, a humane investigation agency, as defined in ORS 181A.340, may
6 require the fingerprints of a person who:**

7 **“(1) Is employed or applying for employment by the agency; or**

8 **“(2) Provides services or seeks to provide services to the agency as a contractor, vendor
9 or volunteer.”.**

10 On page 9, delete lines 22 through 28 and insert:

11 **“SECTION 9. Section 10 of this 2024 Act is added to and made a part of the Oregon Ve-
12 hicle Code.**

13 **“SECTION 10. A court shall, at the request of a party to a prosecution for driving while
14 suspended or revoked in violation of ORS 811.175 or 811.182, admit into evidence data pre-
15 pared or recorded by the Department of Transportation that details the suspension of a
16 person’s driving privileges.**

17 **“SECTION 11. (1) The Oregon Public Defense Commission Lawyer Trust Account is es-
18 tablished as a trust account in the State Treasury, separate and distinct from the General
19 Fund. Interest earned by the trust account shall be credited to the trust account. All moneys
20 in the trust account are appropriated continuously to and shall be used by the Oregon Public
21 Defense Commission for the sole purpose of making payments on behalf of clients of the
22 commission.**

23 **“(2) The trust account established by this section consists of moneys received by the
24 commission on behalf of clients and temporarily credited to the account prior to the dis-
25 tribution of the moneys on behalf of clients.**

26 **“(3) The commission may establish subaccounts within the trust account when the com-
27 mission determines that subaccounts are necessary or desirable.**

28 **“(4) The commission shall transfer interest earned on moneys deposited in the trust ac-
29 count or in any of its subaccounts according to rules of professional conduct adopted pur-
30 suant to ORS 9.490 governing lawyer trust accounts.**

31 **“(5) Moneys in the trust account are not subject to allotment under ORS 291.234 to
32 291.260.**

33 **“SECTION 12. The amendments to ORS 192.672 by section 8 of this 2024 Act apply to
34 hearings conducted before, on or after the effective date of this 2024 Act.**

35 **“SECTION 13. The amendments to ORS 163A.005, 163A.115, 243.706, 243.808 and 243.809**

1 **by sections 1, 2 and 5 to 7 of this 2024 Act become operative on January 1, 2025.**

2 **“SECTION 14.** ORS 811.700 is amended to read:

3 “811.700. (1) A driver of a vehicle who knows or has reason to believe that the driver’s vehicle
4 was involved in a collision commits the offense of failure to perform the duties of a driver when
5 property is damaged if the driver’s vehicle is involved in a collision that results in damage to
6 property and the driver does not perform duties required under any of the following:

7 “(a) Immediately stop the driver’s vehicle at the scene of the collision or as close to the scene
8 of the collision as possible and reasonably investigate what the driver’s vehicle struck. Every stop
9 required under this paragraph should be made without obstructing traffic more than is necessary.

10 “(b) If the driver’s vehicle has been involved in a collision that results only in damage to a ve-
11 hicle that is driven or attended by any other person, the driver shall perform all of the following
12 duties:

13 “(A) Remain at the scene of the collision until the driver has fulfilled all of the requirements
14 under this paragraph.

15 “(B) Give to the other driver or passenger:

16 “(i) The driver’s name and address, the name and address of the owner of the driver’s vehicle
17 and the name and address of any other occupants of the driver’s vehicle; and

18 “(ii) If the driver’s vehicle is a motor vehicle, the registration number of the motor vehicle, the
19 name of the insurance carrier covering the motor vehicle, the insurance policy number of the in-
20 surance policy insuring the motor vehicle and the phone number of the insurance carrier.

21 “(C) Upon request and if available, exhibit and give to the occupant of or person attending any
22 vehicle damaged the number of any document issued as evidence of driving privileges granted to the
23 driver.

24 “(c) If the driver’s vehicle has been involved in a collision resulting in damage to any vehicle
25 that is unattended, the driver shall perform all the following duties:

26 “(A) Locate the operator or owner of the unattended vehicle and notify the operator or owner
27 of:

28 “(i) The driver’s name and address and the name and address of the owner of the vehicle that
29 struck the unattended vehicle; and

30 “(ii) If the driver’s vehicle is a motor vehicle, the registration number of the motor vehicle, the
31 name of the insurance carrier covering the motor vehicle, the insurance policy number of the in-
32 surance policy insuring the motor vehicle and the phone number of the insurance carrier; or

33 “(B) Leave in a conspicuous place in the unattended vehicle a written notice giving:

34 “(i) The driver’s name and address and the name and address of the owner of the vehicle that
35 struck the unattended vehicle and a statement of the circumstances of the collision; and

36 “(ii) If the driver’s vehicle is a motor vehicle, the registration number of the motor vehicle, the
37 name of the insurance carrier covering the motor vehicle, the insurance policy number of the in-
38 surance policy insuring the motor vehicle and the phone number of the insurance carrier.

39 “(d) If the driver’s vehicle has been involved in a collision resulting only in damage to fixtures
40 or property legally upon or adjacent to a highway, the driver shall perform all of the following du-
41 ties:

42 “(A) Take reasonable steps to notify the owner or person in charge of the property of the col-
43 lision and of the driver’s name and address, the vehicle owner’s name and address and, if the driver’s
44 vehicle is a motor vehicle, the registration number of the motor vehicle, the name of the insurance
45 carrier covering the motor vehicle, the insurance policy number of the insurance policy insuring the

1 motor vehicle and the phone number of the insurance carrier.

2 “(B) Upon request and if available, exhibit any document issued as evidence of driving privileges
3 granted to the driver.

4 “(e) If the driver discovers only after leaving the scene of the collision that the **driver has**
5 **reason to believe that the** driver’s vehicle [*may have been*] **was** involved in a collision that resulted
6 in damage to another vehicle, fixture or property, the driver shall as soon as reasonably possible
7 make a good faith effort to comply with the requirements of this subsection.

8 “(2) As used in this section, ‘reason to believe’ means that the driver is aware of a circumstance
9 that would cause a reasonable person to be aware of a substantial and unjustifiable risk that the
10 driver’s vehicle has been in a collision. The risk must be of such nature or degree that failure to
11 be aware of it constitutes a gross deviation from the standard of care that a reasonable person
12 would observe in the situation.

13 “(3) The offense described in this section, failure to perform the duties of a driver when property
14 is damaged, is a Class A misdemeanor and is applicable [*on any premises open to the public*],
15 **notwithstanding ORS 801.020 (9), to a collision that results in damage to property caused by**
16 **the motion of a vehicle or its load that occurs on any highway or premises open to the public,**
17 **or any premises adjacent to a highway or premises open to the public.**

18 “**SECTION 15.** ORS 811.705 is amended to read:

19 “811.705. (1) A driver of a vehicle who knows or has reason to believe that the driver’s vehicle
20 was involved in a collision commits the offense of failure to perform the duties of a driver to injured
21 persons if the driver’s vehicle has been in a collision that results in injury or death to a person and
22 the driver does not perform all of the following duties:

23 “(a) Immediately stop the driver’s vehicle at the scene of the collision or as close to the scene
24 of the collision as possible and reasonably investigate what the driver’s vehicle struck. Every stop
25 required under this paragraph should be made without obstructing traffic more than is necessary.

26 “(b) Remain at the scene of the collision until the driver has fulfilled all of the requirements
27 under this subsection.

28 “(c) Give to the other driver or a surviving passenger or any person not a passenger who is
29 injured as a result of the collision:

30 “(A) The driver’s name and address, the name and address of the owner of the driver’s vehicle
31 and the name and address of any other occupants of the driver’s vehicle; and

32 “(B) If the driver’s vehicle is a motor vehicle, the registration number of the motor vehicle, the
33 name of the insurance carrier covering the motor vehicle, the insurance policy number of the in-
34 surance policy insuring the motor vehicle and the phone number of the insurance carrier.

35 “(d) Upon request and if available, exhibit and give to the persons injured and to the occupant
36 of or person attending any vehicle damaged the number of any document issued as official evidence
37 of driving privileges granted to the driver.

38 “(e) Render to any person injured in the collision reasonable assistance, including the conveying,
39 or the making of arrangements for the conveying, of an injured person to a physician, surgeon or
40 hospital for medical or surgical treatment, if it is apparent that such treatment is necessary or if
41 such conveying is requested by any injured person.

42 “(f) Remain at the scene of a collision until a police officer has arrived and has received the
43 required information, if all persons required to be given information under paragraph (c) of this
44 subsection are killed in the collision or are unconscious or otherwise incapable of receiving the in-
45 formation. The requirement of this paragraph to remain at the scene of a collision until a police

1 officer arrives does not apply to a driver who needs immediate medical care, who needs to leave the
2 scene in order to secure medical care for another person injured in the collision or who needs to
3 leave the scene in order to report the collision to the authorities, as long as the driver who leaves
4 takes reasonable steps to return to the scene or to contact the nearest police officer.

5 “(g) If the driver discovers only after leaving the scene of the collision that the **driver has**
6 **reason to believe that the** driver’s vehicle [*may have been*] **was** involved in a collision that resulted
7 in injury or death to any person, **the driver** shall as soon as reasonably possible make a good faith
8 effort to comply with the requirements of this subsection. The driver shall immediately contact 9-1-1
9 and provide to the dispatcher any requested information described in paragraph (c) of this sub-
10 section and the location and approximate time of the collision.

11 “(2) As used in this section, ‘reason to believe’ means that the driver is aware of a circumstance
12 that would cause a reasonable person to be aware of a substantial and unjustifiable risk that the
13 driver’s vehicle has been in a collision. The risk must be of such nature or degree that failure to
14 be aware of it constitutes a gross deviation from the standard of care that a reasonable person
15 would observe in the situation.

16 “(3)(a) Except as otherwise provided in paragraph (b) of this subsection, the offense described
17 in this section, failure to perform the duties of a driver to injured persons, is a Class C felony and
18 is applicable, [*on any premises open to the public*] **notwithstanding ORS 801.020 (9), to any place**
19 **a collision is caused by the motion of a vehicle or its load that results in injury or death.**

20 “[*(b) Failure to perform the duties of a driver to injured persons is a Class B felony if a person*
21 *suffers serious physical injury as defined in ORS 161.015 or dies as a result of the collision.*]

22 “**(b) If a person suffers serious physical injury as defined in ORS 161.015 or dies as a re-**
23 **sult of the collision, the offense described in this section, failure to perform the duties of a**
24 **driver to injured persons, is a Class B felony, and is applicable, notwithstanding ORS 801.020**
25 **(9), to any place a collision is caused by the motion of a vehicle or its load.**

26 “**SECTION 16.** ORS 811.710 is amended to read:

27 “811.710. (1) A driver of a vehicle who knows or has reason to believe that the driver’s vehicle
28 was involved in a collision commits the offense of failure to perform the duties of a driver when an
29 animal is injured if the driver’s vehicle injures or kills a domestic animal and the driver does not
30 perform all of the following duties:

31 “(a) Immediately stop the driver’s vehicle at the scene of the collision or as close to the scene
32 of the collision as possible and reasonably investigate what the driver’s vehicle struck. Every stop
33 required under this paragraph should be made without obstructing traffic more than is necessary.

34 “(b) Make a reasonable effort to determine the nature of the animal’s injuries.

35 “(c) Give reasonable attention to the animal.

36 “(d) Immediately report the injury to the animal’s owner.

37 “(e) If unable to contact the owner of the animal, notify a police officer.

38 “(f) If the driver discovers only after leaving the scene of the collision that the **driver has**
39 **reason to believe that the** driver’s vehicle [*may have been*] **was** involved in a collision that injured
40 or killed a domestic animal, the driver shall as soon as reasonably possible make a good faith effort
41 to comply with the requirements of this section.

42 “(2) The requirements under this section for a driver to stop and attend an injured animal de-
43 pend on the traffic hazards then existing.

44 “(3) As used in this section, ‘reason to believe’ means that the driver is aware of a circumstance
45 that would cause a reasonable person to be aware of a substantial and unjustifiable risk that the

1 driver's vehicle has been in a collision. The risk must be of such nature or degree that failure to
2 be aware of it constitutes a gross deviation from the standard of care that a reasonable person
3 would observe in the situation.

4 “(4) The offense described in this section, failure to perform the duties of a driver when an an-
5 imal is injured, is a Class B traffic violation.

6 “**SECTION 17.** ORS 811.720 is amended to read:

7 “811.720. *[(1) Except as provided in subsection (4) of this section, any accident occurring on a*
8 *highway or upon premises open to the public resulting in injury or death to any person is subject to*
9 *the reporting requirements under the following sections:]*

10 “**(1) Except as provided in subsection (4) of this section, and notwithstanding ORS 801.020**
11 **(9), any place a collision is caused by the motion of a vehicle or its load that results in injury**
12 **or death to any person, the collision is subject to the reporting requirements under the fol-**
13 **lowing sections:**

14 “(a) The reporting requirements for drivers under ORS 811.725.

15 “(b) The reporting requirements for occupants of vehicles in [*accidents*] **collisions** under ORS
16 811.735.

17 “(c) The reporting requirements for owners of vehicles under ORS 811.730.

18 “[*(2) Except as provided in subsection (4) of this section, an accident occurring on a highway or*
19 *upon premises open to the public resulting in damage to the property of any person in excess of \$2,500*
20 *is subject to the following reporting requirements:]*

21 “**(2) Except as provided in subsection (4) of this section, and notwithstanding ORS 801.020**
22 **(9), a collision caused by the motion of a vehicle or its load that occurs on any highway or**
23 **premises open to the public, or any premises adjacent to a highway or premises open to the**
24 **public, that results in damage to the property of any person in excess of \$2,500, is subject**
25 **to the reporting requirements under the following sections:**

26 “(a) The driver of a vehicle that has more than \$2,500 damage must report the [*accident*] **colli-**
27 **sion** in the manner specified under ORS 811.725.

28 “(b) The owner of a vehicle that has more than \$2,500 damage must report the [*accident*] **colli-**
29 **sion** in the manner specified in ORS 811.730 and under the circumstances specified in ORS 811.730.

30 “(c) If the property damage is to property other than a vehicle involved in the [*accident*] **colli-**
31 **sion**, each driver involved in the [*accident*] **collision** must report the [*accident*] **collision** in the
32 manner specified under ORS 811.725 and each owner of a vehicle involved in the [*accident*] **collision**
33 must report the [*accident*] **collision** in the manner specified in ORS 811.730 and under the circum-
34 stances specified in ORS 811.730.

35 “(d) If a vehicle involved in the [*accident*] **collision** is damaged to the extent that the vehicle
36 must be towed from the scene of the [*accident*] **collision**, each driver involved in the [*accident*] **col-**
37 **lision** must report the [*accident*] **collision** in the manner specified under ORS 811.725 and each
38 owner of a vehicle involved in the [*accident*] **collision** must report the [*accident*] **collision** in the
39 manner specified in ORS 811.730 and under the circumstances specified in ORS 811.730.

40 “(3) The dollar amount specified in subsection (2) of this section may be increased every five
41 years by the Department of Transportation based upon any increase in the Consumer Price Index
42 for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics
43 of the United States Department of Labor or its successor during the preceding 12-month period.
44 The amount determined under this subsection shall be rounded to the nearest \$100.

45 “(4) The following are exempt from the reporting requirements of this section:

1 “(a) Operators of snowmobiles, Class I all-terrain vehicles or Class III all-terrain vehicles.

2 “(b) A law enforcement official acting in the course of official duty if the [*accident*] **collision**

3 involved a law enforcement official performing a lawful intervention technique or a law enforcement

4 official and a person acting during the commission of a criminal offense. As used in this paragraph:

5 “(A) ‘Law enforcement official’ means a person who is responsible for enforcing the criminal

6 laws of this state or a political subdivision of this state and who is employed or volunteers:

7 “(i) As a peace officer commissioned by a city, university that has established a police depart-

8 ment under ORS 352.121 or 353.125, port, school district, mass transit district, county or county

9 service district authorized to provide law enforcement services under ORS 451.010;

10 “(ii) With the Department of State Police or the Criminal Justice Division of the Department

11 of Justice;

12 “(iii) As an investigator of a district attorney’s office, if the investigator is certified as a peace

13 officer in this state; or

14 “(iv) As an authorized tribal police officer as defined in ORS 181A.940.

15 “(B) ‘Lawful intervention technique’ means a method by which one motor vehicle causes, or at-

16 tempts to cause, another motor vehicle to stop.

17 “**SECTION 18.** ORS 811.725 is amended to read:

18 “811.725. (1) The driver of a vehicle commits the offense of driver failure to report [*an*

19 *accident*] **a collision** if the driver does any of the following:

20 “(a) Is driving any vehicle that is involved in [*an accident*] **a collision** required to be reported

21 under ORS 811.720 and does not, within 72 hours of the [*accident*] **collision**, complete a report of the

22 [*accident*] **collision** in a form approved by the Department of Transportation and submit the report

23 to the department.

24 “(b) Is driving a vehicle that is involved in [*an accident*] **a collision** and does not submit to the

25 department any report required by the department that is other than or in addition to the reports

26 required by this section. The department may request a supplemental report if in the opinion of the

27 department the original report is insufficient.

28 “(c) Is driving any vehicle that is involved in [*an accident*] **a collision** required to be reported

29 under ORS 811.720 and does not, within 72 hours of the [*accident*] **collision**, provide proof of com-

30 pliance with financial responsibility requirements to the department, in a form furnished by the de-

31 partment, that at the time of the [*accident*] **collision** the person was in compliance with the financial

32 responsibility requirements.

33 “(2) The proof of compliance with financial responsibility required under this section is subject

34 to the prohibitions and penalties for false certification under ORS 806.050.

35 “(3) The reports described under this section are subject to the provisions of ORS 802.220 and

36 802.240 relating to the use of such reports after submission. Exemptions from requirements to pro-

37 vide proof of compliance with financial responsibility are established under ORS 806.020.

38 “(4) A driver may be required to file additional [*accident*] **collision** reports with a city as pro-

39 vided under ORS 801.040.

40 “(5) The offense described in this section, driver failure to report [*an accident*] **a collision**, is a

41 Class B traffic violation.

42 “**SECTION 19.** ORS 811.730 is amended to read:

43 “811.730. (1) The owner of a vehicle commits the offense of owner failure to report [*an*

44 *accident*] **a collision** if the owner does any of the following:

45 “(a) If the person owns a vehicle that is involved in [*an accident*] **a collision** that is required to

1 be reported under ORS 811.720 and all of the following apply:

2 “(A) The [accident] **collision** occurred while the vehicle was driven by someone other than the
3 owner of the vehicle.

4 “(B) The driver of the vehicle does not make [an accident] **a collision** report as required under
5 ORS 811.725.

6 “(C) The owner of the vehicle fails to report the [accident] **collision** to the Department of
7 Transportation in a form specified by the department as soon as the owner learns of the [accident]
8 **collision**.

9 “(b) If the person is the owner of a vehicle involved in [an accident] **a collision** and the person
10 does not make any additional reports the department may require.

11 “(2) The offense described in this section, owner failure to report [an accident] **a collision**, is a
12 Class B traffic violation.

13 “**SECTION 20.** ORS 811.735 is amended to read:

14 “811.735. (1) A person commits the offense of failure of a vehicle occupant to make [an
15 accident] **a collision** report if:

16 “(a) The person is an occupant, other than the driver, of a vehicle at a time when the vehicle
17 is involved in [an accident] **a collision** required to be reported under ORS 811.720;

18 “(b) The driver of the vehicle is physically incapable of making [an accident] **a collision** report
19 required under ORS 811.725; and

20 “(c) The occupant does not make the [accident] **collision** report or cause the [accident] **collision**
21 report to be made.

22 “(2) This section does not require an occupant of a vehicle who is not a driver to provide proof
23 of compliance with financial responsibility requirements.

24 “(3) The offense described in this section, failure of a vehicle occupant to make [an accident] **a**
25 **collision** report, is a Class B traffic violation.

26 “**SECTION 21.** ORS 811.740 is amended to read:

27 “811.740. (1) A person commits the offense of giving a false [accident] **collision** report if the
28 person gives information in any report required under ORS 811.725 or 811.730, knowing or having
29 reason to believe that such information is false.

30 “(2) The offense described in this section, giving a false [accident] **collision** report, is a Class
31 B misdemeanor.

32 “**SECTION 22.** ORS 811.745 is amended to read:

33 “811.745. [(1) *Except as provided in subsection (4) of this section, any accident occurring on a*
34 *highway or upon premises open to the public resulting in injury or death to any person is subject to*
35 *the reporting requirements under the following sections:]*

36 “**(1) Except as provided in subsection (4) of this section, and notwithstanding ORS 801.020**
37 **(9), any place a collision is caused by the motion of a vehicle or its load that results in injury**
38 **or death to any person, the collision is subject to:**

39 “(a) The reporting requirements for drivers under ORS 811.748.

40 “(b) The reporting requirements for occupants of vehicles in [accidents] **collisions** under ORS
41 811.750.

42 “[*(2) Except as provided in subsection (4) of this section, an accident occurring on a highway or*
43 *upon premises open to the public resulting in damage to the property of any person in excess of \$2,500*
44 *is subject to the following reporting requirements:]*

45 “**(2) Except as provided in subsection (4) of this section, and notwithstanding ORS 801.020**

1 (9), a collision caused by the motion of a vehicle or its load that occurs on any highway or
2 premises open to the public, or any premises adjacent to a highway or premises open to the
3 public, that results in damage to the property of any person in excess of \$2,500, is subject
4 to the following:

5 “(a) The driver of a vehicle that has more than \$2,500 damage must report the [accident] colli-
6 sion in the manner specified under ORS 811.748.

7 “(b) If the property damage is to property other than a vehicle involved in the [accident] colli-
8 sion, each driver involved in the [accident] collision must report the [accident] collision in the
9 manner specified under ORS 811.748.

10 “(c) If a vehicle involved in the [accident] collision is damaged to the extent that the vehicle
11 must be towed from the scene of the [accident] collision, each driver involved in the [accident] col-
12 lision must report the [accident] collision in the manner specified under ORS 811.748.

13 “(3) The dollar amount specified in subsection (2) of this section may be increased every five
14 years by the Department of Transportation based upon any increase in the Consumer Price Index
15 for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics
16 of the United States Department of Labor or its successor during the preceding 12-month period.
17 The amount determined under this subsection shall be rounded to the nearest \$100.

18 “(4) The following are exempt from the reporting requirements of this section:

19 “(a) Operators of snowmobiles and Class I, Class III and Class IV all-terrain vehicles.

20 “(b) A law enforcement official acting in the course of official duty if the [accident] collision
21 involved a law enforcement official performing a lawful intervention technique or involved a law
22 enforcement official and a person acting during the commission of a criminal offense. As used in this
23 paragraph:

24 “(A) ‘Law enforcement official’ means a person who is responsible for enforcing the criminal
25 laws of this state or a political subdivision of this state and who is employed or volunteers:

26 “(i) As a peace officer commissioned by a city, port, university that has established a police
27 department under ORS 352.121 or 353.125, school district, mass transit district, county or service
28 district authorized to provide law enforcement services under ORS 451.010;

29 “(ii) With the Department of State Police or the Criminal Justice Division of the Department
30 of Justice; or

31 “(iii) As an investigator of a district attorney’s office, if the investigator is certified as a peace
32 officer in this state.

33 “(B) ‘Lawful intervention technique’ means a method by which one motor vehicle causes, or at-
34 tempts to cause, another motor vehicle to stop.

35 “(5) The reporting requirements under this section are in addition to, and not in lieu of, the
36 reporting requirements under ORS 811.720.

37 “**SECTION 23.** ORS 811.750 is amended to read:

38 “811.750. (1) A person commits the offense of failure of a vehicle occupant to make [an
39 accident] a collision report if:

40 “(a) The person is an occupant, other than the driver, of a vehicle at a time when the vehicle
41 is involved in [an accident] a collision required to be reported to a police officer or a law enforce-
42 ment agency under ORS 811.745;

43 “(b) The driver of the vehicle is physically incapable of giving notice to a police officer or a law
44 enforcement agency as required under ORS 811.748; and

45 “(c) The occupant does not give notice of the [accident] collision immediately to a police officer

1 or a law enforcement agency by the quickest means available.

2 “(2) Notwithstanding subsection (1) of this section, a person does not commit the offense of
3 failure of a vehicle occupant to make [*an accident*] **a collision** report if:

4 “(a) The [*accident*] **collision** required to be reported under ORS 811.745 results in a serious in-
5 jury or death; and

6 “(b) The person gives notice of the [*accident*] **collision** immediately to the emergency communi-
7 cations system by the quickest means available.

8 “(3) The offense described in this section, failure of a vehicle occupant to make [*an accident*] **a**
9 **collision** report, is a Class A traffic violation.

10 “**SECTION 24.** ORS 802.240 is amended to read:

11 “802.240. (1) In all actions, suits or criminal proceedings when the title to, or right of possession
12 of, any vehicle is involved, the record of title, as it appears in the files and records of the Depart-
13 ment of Transportation, is prima facie evidence of ownership or right to possession of the vehicle.
14 As used in this section, the record of title does not include records of salvage titles unless the re-
15 cord itself is the salvage title. Proof of the ownership or right to possession of a vehicle shall be
16 made by means of any of the following methods:

17 “(a) The original certificate of title as provided under ORS 803.010.

18 “(b) A copy, certified by the department, of the title record of the vehicle as the record appears
19 in the files and records of the department.

20 “(2) Extrinsic evidence of authenticity is not required as a condition precedent to the admission
21 of a copy of a document relating to the privilege of any person to drive a motor vehicle authorized
22 by law to be filed and actually filed in the records of the department if the copy bears a seal pur-
23 porting to be that of the department and is certified as a true copy by original or facsimile signature
24 of a person purporting to be an officer or employee of the department. This subsection applies to
25 copies of a data compilation in any form. Copies of documents certified in accordance with this
26 subsection constitute prima facie evidence of the existence of the facts stated therein.

27 “(3) A certified copy of a person’s driving record, as maintained by the department:

28 “(a) May be admitted as evidence in any hearing or proceeding under ORS 813.200 to 813.270.

29 “(b) Is prima facie evidence that the person named therein was duly convicted of each offense
30 shown by the record.

31 “(c) Is prima facie evidence that the person named therein is participating in or has participated
32 in a driving under the influence of intoxicants diversion program or in any similar alcohol or drug
33 rehabilitation program in this state or in any other jurisdiction if the record shows that the person
34 has participated in such a program.

35 “(4) Records and actions described in this subsection shall not be referred to in any way or
36 admitted into evidence or be any evidence of the negligence or due care of any party at the trial
37 of any action at law to recover damages. This subsection applies to all of the following:

38 “(a) The report required following [*an accident*] **a collision**.

39 “(b) Any action taken by the department to revoke or suspend a driver license or driver permit
40 or taken by the department under the financial responsibility requirements of the vehicle code or
41 the findings, if any, of the department upon which such action of the department is based.

42 “(c) Any deposit of security required under the financial responsibility requirements of the ve-
43 hicle code.

44 “(5) Except as provided in this subsection, the [*accident*] **collision** reports filed with the depart-
45 ment under ORS 811.725, 811.730 or 811.735 shall be without prejudice to the individual filing the

1 report and no such report shall be used as evidence in any trial, civil or criminal, arising out of
2 [*an accident*] **a collision**. The following uses are allowable under this subsection:

3 “(a) The certificate issued by the department under ORS 802.220 to show whether or not [*an*
4 *accident*] **a collision** report has been made to the department shall be used solely to prove a com-
5 pliance or failure to comply with the requirements that the [*accident*] **collision** report be made to
6 the department.

7 “(b) [*An accident*] **A collision** report submitted under ORS 811.725 or 811.735 may be used in an
8 administrative hearing or an appeal from such hearing to support any suspension of driving privi-
9 leges for:

10 “(A) Failure to make reports required under ORS 811.725 or 811.735.

11 “(B) Failure to comply with financial responsibility requirements or failure to comply with fu-
12 ture responsibility filings.

13 “(6) A photocopy, facsimile copy, digital or electronic copy of an application for perfection of a
14 security interest by notation on a title under ORS 803.097 that is certified by the department is
15 proof of the date of perfection of the security interest unless the date is invalid as provided under
16 ORS 803.097.

17 “(7) A report filed by a physician or health care provider under ORS 807.710 is confidential and
18 may not be admitted as evidence in any civil or criminal action. A report described in this sub-
19 section may be used in an administrative hearing or an appeal from an administrative hearing in
20 which an issue is the qualification of a person to operate a motor vehicle.

21 “**SECTION 25.** ORS 811.748 is amended to read:

22 “811.748. (1) The driver of a vehicle commits the offense of driver failure to report [*an*
23 *accident*] **a collision** if the driver is driving any vehicle that is involved in [*an accident*] **a collision**
24 required to be reported under ORS 811.745 and the driver, if physically capable, does not give notice
25 of the [*accident*] **collision** immediately to a police officer or a law enforcement agency by the
26 quickest means available.

27 “(2) Notwithstanding subsection (1) of this section, a driver does not commit the offense of
28 driver failure to report [*an accident*] **a collision** if:

29 “(a) The [*accident*] **collision** required to be reported under ORS 811.745 results in a serious in-
30 jury or death; and

31 “(b) The driver gives notice of the [*accident*] **collision** immediately to the emergency communi-
32 cations system by the quickest means available.

33 “(3) The offense described in this section, driver failure to report [*an accident*] **a collision**, is a
34 Class A traffic violation.

35 “**SECTION 26.** The amendments to ORS 802.240, 811.700, 811.705, 811.710, 811.720, 811.725,
36 811.730, 811.735, 811.740, 811.745, 811.748 and 811.750 by sections 14 to 25 of this 2024 Act apply
37 to collisions occurring on or after January 1, 2025.

38 “**SECTION 27.** The amendments to ORS 802.240, 811.700, 811.705, 811.710, 811.720 811.725,
39 811.730, 811.735, 811.740, 811.745, 811.748 and 811.750 by sections 14 to 25 of this 2024 Act be-
40 come operative January 1, 2025.

41 “**SECTION 28.** This 2024 Act being necessary for the immediate preservation of the public
42 peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect
43 on its passage.”.