

HB 4109-1  
(LC 180)  
2/1/24 (HE/ps)

Requested by JOINT COMMITTEE ON TRANSPORTATION (at the request of City of Beaverton)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4109**

1 On page 1 of the printed bill, line 2, after “319.023” insert “, 809.220”.

2 On page 4, after line 23, insert:

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**“NOTICE TO COURT FOLLOWING SUSPENSION**

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6 **“SECTION 5.** ORS 809.220 is amended to read:

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8 “809.220. This section establishes procedures that are applicable if a per-  
9 son fails to appear on a citation for a traffic offense or fails to appear on a  
10 citation for a violation of ORS 471.430 or 475C.317. All of the following apply  
11 to this section:

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13 “(1) If a defendant fails to make any appearance required by the court or  
14 by law in a proceeding charging the defendant with a traffic offense or with  
15 a violation of ORS 471.430 or 475C.317, the court:

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17 “(a) Shall issue notice to the Department of Transportation to suspend for  
18 failure to appear if the defendant is charged with a traffic crime or with a  
19 violation of ORS 471.430 or 475C.317. If a court issues notice under this  
20 paragraph, the department shall suspend the driving privileges of the person  
21 as provided under ORS 809.280.

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“(b) [*Shall*] **May** issue notice to the department to implement procedures  
under ORS 809.416 if the defendant is charged with a traffic violation. If a  
court issues notice under this paragraph, the department shall implement

1 procedures under ORS 809.416.

2 “(2) In any notice to the department under this section, a court shall  
3 certify that the defendant failed to appear in the proceedings in the manner  
4 required by the court or by law.

5 “(3) At any time within 10 years from the date the traffic offense or vio-  
6 lation of ORS 471.430 or 475C.317 occurred, a court shall give a second notice  
7 to the department to reinstate the person’s suspended driving privileges re-  
8 sulting from the original notice if any of the following occur:

9 “(a) The fine for the offense is paid or the defendant has begun making  
10 payments.

11 “(b) The court finds the defendant not guilty or orders a dismissal of the  
12 case.

13 “(c) The court determines that the person’s suspended driving privileges  
14 should be reinstated for good cause.

15 “(4) The court may reissue a notice of suspension if the person ceases  
16 making payments before the fine is paid in full. The reissuance does not ex-  
17 tend the original period of suspension.

18 “(5) Notifications by a court to the department under this section shall  
19 be in a form prescribed by the department.

20 “(6) A court may not notify the department under this section for failure  
21 to appear on any parking, pedestrian or bicyclist offense.

22 **“SECTION 6. The amendments to ORS 809.220 by section 5 of this**  
23 **2024 Act apply to persons who fail to appear on a citation for a traffic**  
24 **violation or after the effective date of this 2024 Act.”.**

25 In line 27, delete “5” and insert “7”.

26 In line 33, delete “6” and insert “8”.

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