

HB 3991-13
(LC 2)
8/29/25 (HE/ps)

Requested by Senator BROCK SMITH

**PROPOSED AMENDMENTS TO
HOUSE BILL 3991**

On page 1 of the printed bill, line 4, after “801.042,” insert “802.179,
802.181.”.

On page 53, after line 29 insert:

“DMV RECORDS

“SECTION 101. ORS 802.179, as amended by section 3, chapter 63, Oregon
Laws 2024, is amended to read:

“802.179. (1) The Department of Transportation, upon request or as re-
quired by law, shall disclose personal information from a motor vehicle re-
cord to a government agency for use in carrying out its governmental
functions.

“(2) The department shall disclose personal information from a motor ve-
hicle record for use in connection with matters of motor vehicle or driver
safety and theft, motor vehicle emissions, motor vehicle product alterations,
recalls or advisories, performance monitoring of motor vehicles and dealers
by motor vehicle manufacturers, and removal of nonowner records from the
original owner records of motor vehicle manufacturers to carry out the pur-
poses of any of the following federal Acts:

“(a) The Automobile Information Disclosure Act.

“(b) The Motor Vehicle Information and Cost Saving Act.

1 “(c) The National Traffic and Motor Vehicle Safety Act of 1966.

2 “(d) The Anti-Car Theft Act of 1992.

3 “(e) The Clean Air Act.

4 “(3)(a) If the department determines that a business is a legitimate busi-
5 ness, the department shall disclose personal information to the business for
6 use in the normal course of business in:

7 “(A) Verifying the accuracy of personal information submitted to the
8 business; or

9 “(B) Correcting personal information submitted to the business, but only
10 in order to:

11 “(i) Prevent fraud;

12 “(ii) Pursue legal remedies against the individual who submitted the per-
13 sonal information; or

14 “(iii) Recover a debt from, or satisfy a security interest against, the in-
15 dividual.

16 “(b) The department shall adopt rules specifying the kind of information
17 that the department will accept as evidence that a business is a legitimate
18 business.

19 “(4) The department shall disclose personal information to:

20 “(a) An attorney, a financial institution as defined in ORS chapter 706
21 or a collection agency registered under ORS 697.031 for use in connection
22 with a civil, criminal, administrative or arbitration proceeding in any court,
23 government agency or self-regulatory body. Permissible uses of personal in-
24 formation under this paragraph include, but are not limited to, service of
25 process, investigation in anticipation of litigation and the execution and
26 enforcement of judgments and orders.

27 “(b) A process server acting as an agent for an individual for use in
28 serving documents in connection with an existing civil, criminal, adminis-
29 trative or arbitration proceeding, or a judgment, in any court, government
30 agency or self-regulatory body. Nothing in this paragraph limits the activ-

ities of a process server when acting as an agent for an attorney, collection agency or like person or for a government agency.

“(5) The department shall disclose personal information other than names to a researcher for use in researching health and educational questions and providing statistical reports, as long as the personal information is not published, redisclosed or used to contact individuals. The department may disclose information under this subsection only for research sponsored by an educational institution or a health research institution.

“(6) The department shall disclose personal information to an insurer, an insurance support organization or a self-insured entity in connection with claims investigation activities, antifraud activities, underwriting or rating.

“(7) The department shall disclose personal information regarding ownership or other financial interests in a vehicle to a person who is required by the state or federal Constitution, a statute or an ordinance to give notice to another person concerning the vehicle. Personal information disclosed under this subsection may be used only for giving the required notice. Persons authorized to receive personal information under this subsection include, but are not limited to:

“(a) Tow companies;

“(b) Persons who have or are entitled to have liens on the vehicle; and

“(c) Persons taking an action that could affect ownership rights to the vehicle.

“(8) The department shall disclose personal information to any private security professional certified under ORS 181A.870, to be used for the purpose of determining ownership of vehicles parked in a place over which the private security professional, acting within the scope of the professional’s employment, exercises control.

“(9) The department shall disclose personal information to the employer of an individual who holds commercial driving privileges, or the insurer of the employer, to obtain or verify information about the individual.

1 “(10) The department shall disclose personal information to the operator
2 of a private toll facility for use in collecting tolls.

3 “(11) The department may not disclose personal information for bulk dis-
4 tributors of surveys, marketing materials or solicitations [*except as provided*
5 *in this subsection. The department shall implement methods and procedures*
6 *to ensure:*]

7 “[*(a) That individuals are offered an opportunity to request that personal*
8 *information about themselves be disclosed to bulk distributors; and]*

9 “[*(b) That the personal information provided by the department will be*
10 *used, rented or sold solely for bulk distribution of surveys, marketing materials*
11 *and solicitations]*.

12 “(12) The department shall disclose personal information to a person who
13 requests the information if the requester provides the department with writ-
14 ten permission from the individual whose personal information is requested.
15 The written permission from the individual must be notarized.

16 “(13) The department shall disclose personal information to a person who
17 is in the business of disseminating such information under the following
18 conditions:

19 “(a) In addition to any other requirements under the contract executed
20 pursuant to paragraph (b) of this subsection, the person requesting the in-
21 formation must file a performance bond with the department in the amount
22 of \$25,000. The bond must be executed in favor of the State of Oregon and
23 its form is subject to approval by the Attorney General.

24 “(b) The disseminator shall enter into a contract with the department. A
25 contract under this paragraph shall contain at least the following provisions:

26 “(A) That the disseminator will not reproduce or distribute the personal
27 information in bulk but only in response to an individual record inquiry.

28 “(B) That the disseminator will provide the personal information only to
29 a person or government agency authorized to receive the information under
30 this section and only if the person or government agency has been authorized

1 by the department to receive the information.

2 “(C) That the disseminator will have a method of ensuring that the
3 disseminator can delay for a period of up to two days the giving of personal
4 information to a requester who is not a subscriber.

5 “(14) The department shall disclose personal information to represen-
6 tatives of the news media for the gathering or dissemination of information
7 related to the operation of a motor vehicle or to public safety.

8 “(15) The department shall disclose personal information as provided in
9 ORS 802.220 (5).

10 “(16) The department shall adopt rules providing for the release of per-
11 sonal information from motor vehicle records to a person who has a financial
12 interest in the vehicle. Rules adopted under this subsection may include, but
13 need not be limited to, rules establishing procedures for the department to
14 verify the financial interest of the person making the request for personal
15 information.

16 “(17) The department shall adopt rules providing for the release of per-
17 sonal information from motor vehicle records to a person who is injured by
18 the unsafe operation of a vehicle or who owns property that is damaged be-
19 cause of the unsafe operation of a vehicle.

20 “(18) The department shall disclose personal information to a private in-
21 vestigator licensed by any licensing authority within the State of Oregon,
22 to be used for any purpose permitted under this section. A licensed private
23 investigator requesting information must prove to the department that the
24 person has a corporate surety bond, an irrevocable letter of credit issued by
25 an insured institution as defined in ORS 706.008 or such other security as
26 the Department of Public Safety Standards and Training may prescribe by
27 rule in the minimum amount of \$5,000 or errors and omissions insurance in
28 the minimum amount of \$5,000.

29 “(19) The department shall disclose personal information to a procurement
30 organization as defined in ORS 97.953 for the purpose of facilitating the

1 making of anatomical gifts under the provisions of ORS 97.955.

2 “(20) The department, upon request, shall disclose personal information
3 to a humane special agent as defined in ORS 181A.345.

4 **“SECTION 102.** ORS 802.181 is amended to read:

5 “802.181. (1) Except as otherwise provided in subsections (2) to [(5)] (4)
6 of this section, a person or government agency that is authorized under ORS
7 802.179 to receive personal information from motor vehicle records may resell
8 or redisclose the information only:

9 “(a) To a person or government agency authorized to receive the infor-
10 mation under ORS 802.179 and only if the person or government agency is
11 authorized by the Department of Transportation to receive the resold or re-
12 disclosed information; and

13 “(b) For purposes authorized under ORS 802.179.

14 “(2) A researcher who receives personal information under ORS 802.179
15 (5) may not resell or redisclose the information except as provided in ORS
16 802.179 (5).

17 “[3) *A person who receives personal information under ORS 802.179 (11)*
18 *may not resell or redisclose the information except as provided in ORS 802.179*
19 *(11).]*

20 “[4)] (3) A representative of the news media who receives personal in-
21 formation under ORS 802.179 (14) may not resell or redisclose the informa-
22 tion except as provided in ORS 802.179 (14).

23 “[5)] (4) No one who receives personal information from the department
24 under ORS 802.179 may sell or redisclose the information to a person who
25 is in the business of disseminating the information.

26 “[6)] (5) A person who resells or rediscloses personal information as au-
27 thorized by this section, other than a representative of the news media, must
28 keep records for a period of five years that identify each person who receives
29 the information and the permitted purpose for which the person received the
30 information. Records kept in accordance with this subsection must be made

1 available to the department on request.

2 “[7] (6) A procurement organization that receives personal information
3 as authorized by ORS 802.179 (19) may not resell or redisclose the informa-
4 tion.

5 “[8] (7) The State of Oregon is immune from liability for any claim re-
6 sulting from the resale or redisclosure of personal information under this
7 section.

8 **“SECTION 103. A distributor that received personal information**
9 **from the Department of Transportation under ORS 802.179 (11) as in**
10 **effect immediately before the effective date of this 2025 special session**
11 **Act may resell or redisclose personal information that was received**
12 **before the effective date of this 2025 special session Act only in ac-**
13 **cordance with ORS 802.179 (11) and 802.181 (3) as in effect immediately**
14 **before the effective date of this 2025 special session Act.”.**

15 In line 33, delete “101” and insert “104”.

16 In line 40, delete “102” and insert “105”.