

## **LEDS Articles for 2005 Legislation Implementation**

### **HB 3121- Vehicle abandoned on private property valued at \$500 or less**

HB3121 describes how a person may dispose of a vehicle that is located on private property and valued at \$500 or less. Specifically, the bill authorizes city or county authorities to dispose of a vehicle valued at \$500 or less at the request of a person who is both the owner of the property and in legal possession of the vehicle. The vehicle may only be disposed of to a licensed dismantler. DMV Form 272 "Vehicle Abandoned on Private Property Certificate" has been created. The authority and the appraiser must both sign the certificate. The authority must provide the original certificate to DMV and a copy to the dismantler.

An amendment was made to ORS 87.172, to add that a person claiming a lien under ORS 87.152 on a vehicle for the cost of removing, towing or storage of a vehicle that is appraised by a person who holds an appraiser's certificate to have a value of \$500 or less, must retain the vehicle at least 15 days after the lien attaches to the vehicle before foreclosing the lien.

Changes were made to the foreclosure sale notice requirements for liens created by ORS 87.152 to 87.162. First class mail with certificate of mailing, registered mail, or certified mail are now all acceptable forms of notification.

For more information, contact DMV Customer Assistance at (503) 945-5000; Portland Area, (503) 299-9999

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**SB 373** amends ORS 802.250 by increasing the list of public employees who are eligible to use their employment address on DMV records. The list of specified employees who may use an employment address on DMV records has been expanded to include the following:

- An employee who provides educational services to persons who are clients or patients of the Department of Human Services *and* who are under the jurisdiction of the Psychiatric Security Review Board or who are under the custody or supervision of the Department of Corrections, the State Board of Parole and Post-Prison Supervision, a community corrections agency, the Oregon Youth Authority or a juvenile department. "Employee who provides educational services" means a person who provides instruction, or services related to the instruction, of a subject usually taught in an elementary school, a secondary school or a community college or who provides special education and related services in other than a school setting and who works for:
  - An education service district or a community college district; or
  - A state officer, board, commission, bureau, department or division in the executive branch of state government that provides educational services.
- Employees of the Oregon Liquor Control Commission (OLCC) who work as inspectors, investigators or regulatory managers.

SB 373 is effective January 1, 2006.

**HB 2946** is effective January 1, 2006 and DMV will be putting only the last four numbers of a customer's driver license or identification card number on the back of disabled parking placards. This change is due to HB 2946, passed in the 2005 legislative session requiring that DMV put no identifying personal information on disabled parking placards. In order to avoid issuing new placards to customers whose previously issued placard has their full number on it, we will advise customers who inquire after January 1 that they may cover all but the last four digits.

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### **Members of the National Guard and Military Reservists are given extensions on license and registration privileges.**

SB 487 makes special exceptions to assist certain persons serving in the military. Effective January 1, 2006, Oregon National Guard and military reservists ordered on active duty and deployed to a location outside of the U.S. will be granted specific allowances up to 90 days following the termination of active duty:

1. If a person's driver license expires while the holder is on active duty, the driving privileges remain valid and will continue to be valid for 90 days following the termination of active duty. If law enforcement should cite a member of the Oregon National Guard or military reservists with the offence of Operating a Vehicle Without Driving Privileges (OP V REST) under ORS 807.010 because of the license expiration, while the person was on active duty or for 90 days following the termination of active duty, the court shall dismiss the charge.
2. If the registration of a vehicle registered in the name of the Oregon National Guard or military reservist expires while the person is on active duty, the registration shall remain valid for 90 days following the termination of active duty. A court shall dismiss the charge of Failure to Renew Vehicle Registration under ORS 803.455 (F RNW VH REG) if, when charged, the person was on active duty or for 90 days following the termination of active duty.
3. If the validating stickers for a vehicle registered to one of these persons expires while the person is on active duty, the vehicle license plate shall remain valid for 90 days following the termination of active duty. A court shall dismiss the charge of Improper Display of Validating stickers under ORS 803.560 (IMP D STKR) if, when charged, the person was on active duty or for 90 days following the termination of active duty.

For more information, contact DMV Customer Assistance at (503) 945-5000 or in Portland at (503) 299-9999.

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**HB 3088** -- This bill allows vehicle dealers to operate a vehicle in Oregon that is titled and registered out of state while displaying vehicle dealer plates. This is current practice among vehicle dealers already and this bill is just a language clean up.

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### **HB 2937 – Suspension of Driving Privileges for Theft of Gasoline**

HB 2937 was passed by the Oregon Legislature during the 2005 Legislative Session and amends ORS 809.411 requiring DMV to suspend the driving privileges of an individual who is convicted of theft of gasoline for a period of six months upon notification from the court. This law becomes effective January 1, 2006.

After January 1, 2006, the courts must forward notification to DMV when a person has been convicted of theft under ORS 164.043, 164.045 or 164.055 when the item was gasoline. When DMV receives notification from the courts, DMV must initiate suspension action against the person's driving privileges for a period of six months. The suspension period is mandated under ORS 809.411.

For additional information, please call (503) 945-5000 or (503) 299-9999 (Portland Metro Area).

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### **[SB 568 – Suspension of Driving Privileges for Speeding Offenses](#)**

SB 568, effective January 1, 2006, ***authorizes*** the courts to suspend the driving privileges of a person convicted of violating the speed limit by more than 30 miles per hour if the person has at least one prior conviction under ORS 811.100 (violating the basic speed rule) or ORS 811.111 (violating a speed limit) within 12 months of the date of the current offense.

This bill also ***mandates*** the courts to suspend the driving privileges of a person who is convicted of violating the speed limit, under ORS 811.109, while driving 100 miles per hour or greater. The convictions must occur on or after the effective date of this bill (January 1, 2006).

It will be the responsibility of the court to notify DMV; upon notification, DMV must initiate suspension action against the offender. However, if DMV doesn't receive notification of a suspension for the two suspensions described above, DMV will not suspend driving privileges.

The suspension period for a person convicted of violating the speed limit by more than 30 miles per hour if the person has at least one prior conviction as described above will be up to 30 days as determined by the courts. The suspension period for a person convicted of violating the speed limit while driving 100 miles per hour or greater will be between 30 and 90 days, also determined by the courts.

For additional information, please call (503) 945-5000 or (503) 299-9999 (Portland Metro Area).

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### **[Updated Guide to Oregon Drive Records](#)**

Final changes are being made to the Guide, currently available from the DMV Internet site. It is expected to be published around the first of February. Notification will be sent out when the updated version is published.