

Committee on Judiciary
Reference Paper
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SUBJECT: COMPARISON OF ENGROSSED SENATE BILL 142, SENATE BILL 286
AND SENATE BILL 398

Senate Bill 286 and Senate Bill 398 are almost identical to each other, the only difference being a minor change in the language used relating to background color on licensees' color photographs.

A difference between Engrossed Senate Bill 142 and the other two bills is that in the former the leading sentence of subsection (1), ORS 482.260, is amended to read that the division shall examine every applicant for issuance or renewal of an operator's or chauffeur's license before issuing any such license, whereas the other two bills leave this sentence as it is in the existing section to apply to every applicant for an operator's or chauffeur's license. Since the term "renewal" is defined in all three bills to mean issuance of a license rather than renewal of a license as in existing law, the unamended language of subsection (1), ORS 482.260, is probably more exact than the expanded language of Engrossed Senate Bill 142.

The major difference between the bills is in the area of what reexamination of drivers is mandatory or discretionary on application for renewal of license. Under Senate Bill 286 and Senate Bill 398, the division may waive only the demonstration of ability to operate a motor vehicle. Neither the eyesight examination nor the test of knowledge of rules of the road may be waived.

Under Engrossed Senate Bill 142, the division shall waive all parts of the examination if the licensee applying for renewal has had no traffic violation convictions or reportable traffic accidents during the

immediately preceding 12 months, except that the division may require the applicant to take a vision test. If an applicant has two or more traffic violation convictions or reportable traffic accidents during the preceding 12 months, he must take the part of the examination in which he demonstrates his operational control of a motor vehicle.

A further difference between Engrossed Senate Bill 142 and the other two bills is the provision of the former that an applicant whose license has been suspended for failure to appear when requested or failure to pass the examination, may obtain a special 30-day license for the purpose of receiving driver instruction if he passes all of the three types of tests required by an applicant for a license. The other two bills limit the test for receiving this special 30-day license to vision and knowledge of rules of the road.

Other provisions of Engrossed Senate Bill 142 are duplicated in Senate Bill 286 and Senate Bill 398, except operative date.