

This summary of motor vehicle legislation approved by the 1973 Oregon Legislature includes bills approved relating to Chapters 319, 481, 482, 483, 484, and 486 of Oregon Revised Laws.

A Supplement to the Oregon Motor Vehicle Laws will be published as soon as possible after the complete "Advance Sheets" have been received. Due to the length of the session, however, it is doubtful that the Supplement can be prepared before late October or November.

Unless otherwise indicated, legislation takes effect October 5, 1973.

-- Motor Vehicles Division  
Salem, Oregon 97310

SENATE BILLS --

- SB 44 -- Transfers worker transportation safety code from Department of Commerce back to the Motor Vehicles Division and gives the Motor Vehicles Division and the Workmen's Compensation Board concurrent jurisdiction in adoption and enforcement of safety codes relating to vehicles used to transport workers. Effective July 1, 1973.
- SB 77 -- Revises environment law provisions including those relating to motor vehicle pollution control devices. Permits DEQ to designate the county or counties where motor vehicles registered must comply with emission standards adopted by DEQ before they can be registered or re-registered. Amends 481.190, 483.800, .805, .815, .830, .991. Repeals 483.810.
- SB 105 -- Authorizes Mental Health Division to establish treatment program for eligible persons convicted of driving under influence of alcohol which involves medical and mental treatment to include at least supplying of agent which causes violent, nauseous physical reaction in body upon introduction of alcohol into system. Effective July 1, 1973.
- SB 146 -- Requires observance of signs and designated speeds in school zones when children are present on school grounds or crosswalks and if signs are posted giving notice of grounds or crosswalk.
- SB 151 -- Deletes requirement that municipalities and Highway Commission post signs giving notice that radiomicro waves (radar) or other electrical devices are used for law enforcement purposes.
- SB 357 -- Increases restriction on extension of loads beyond front of motor vehicle or combination thereof from three feet to four feet.

- SB 371 -- Prohibits vehicles of 6,000 pounds gross weight or more, campers and vehicles towing trailers from using the extreme left-hand lane on highways with three lanes in same direction except when (1) necessary to enter or leave such roadway; (2) when reasonably necessary due to emergency conditions; and (3) when otherwise indicated or directed by signs or signals. On highways with two lanes in the same direction, these vehicles must use right-hand lane and cannot be moved to the left-hand lane unless movement can be made without interfering with passage of other vehicles. Takes effect on passage. Violation a Class C misdemeanor.
- SB 405 -- Authorizes the Motor Vehicles Division to conduct a program to improve drivers. Program may include, but is not limited to letters, interviews and classroom instruction. Authorizes a reasonable fee to participants in the program to cover costs of administration.
- SB 457 -- Increases maximum weight limits permitted on any highway for self-compactor garbage trucks to a gross weight on a single axle of not more than 22,000 pounds when loaded with garbage or refuse.
- SB 514 -- Requires drivers of vehicles to yield right-of-way and stop when an emergency vehicle gives an audible as well as a visual signal. Amends 483.423 to agree with HB 2457.
- SB 521 -- Extends definition of disabled person, as used in ORS 483.352 to 483.356 for purposes of parking marked motor vehicles in restricted areas. Definition now includes a person who is missing one or both legs.
- SB 563 -- Provides that provisions of implied consent law, ORS 483.634 to 483.646, except subsection (3) of 483.634 and 483.642, shall not be construed by courts to limit introduction of otherwise competent, relevant evidence in any civil action, suit or proceeding or to any criminal action other than a violation of subsection (2) or ORS 483.992 or similar city ordinance in proceeding under ORS 482.540 to 482.560.
- SB 589 -- Amends definition of highway in Chapter 483 to give it the same meaning as the term "highway" in 481.020, except that as used in 483.502 to 483.536 and 483.994 to 483.998 the terms do not include any road or thoroughfare or property in private ownership or any road or thoroughfare other than a state highway or county road, used pursuant to any agreement with any agency of the United States or with a licensee of such agency, or both.
- SB 637 -- Amends ORS 482.570 to require that when suspension notice is sent by certified mail and is returned unsigned, service of notice shall be accomplished by personal service in the same manner as a summons is served in an action at law. Amends ORS 482.505 to require a reinstatement fee of \$8 for any license suspended or revoked and provides that no reinstatement shall be made until the fee is paid to the division.

SB 730 -- Amends 482.470 to require courts to issue a temporary operator's permit when necessary to give full effect to this section, on a form provided by the Motor Vehicles Division, to a convicted person for whom the court has recommended a license suspension or when the person has been convicted of a charge resulting in mandatory license suspension. The court is to take up the regular license and immediately forward it to the division. Temporary license shall be valid until midnight of the day of the conviction.

AG.  
NO PAS

SB 756 -- Exempts from motor carrier law certain motor vehicles used by non-profit entities to transport persons. Requires vehicles to be maintained and operated in accordance with safety code adopted by Motor Vehicles Division and requires vehicles to be approved by Mass Transit Division as complying with specified standards.

SB 841 -- Amends ORS 486.116 to require motor trucks on Interstate highways to comply with maximum speed limit of 50 miles per hour when highway is covered with sufficient moisture to create a trailing spray or splash from the tires of trucks moving over the highway.

#### HOUSE BILLS

HB 2035 -- Requires high school driver education teachers to meet qualifications set by Superintendent of Public Instruction; changes formula for distribution of funds, requires Motor Vehicles Division to evaluate effectiveness of the program, and amends 482.250 to require 50 cents per year fee on driver and chauffeur licenses for Driver Education fund.

HB 2068 -- Increases aviation fuel tax from one cent per gallon to two cents per gallon.

HB 2075 -- Prohibits motor vehicle liability insurers from considering employment driving record of individual who is insuring private vehicle. Employment driving record defined as those accidents and convictions that occurred while person is driving under circumstances requiring him to be licensed as a chauffeur or an authorized emergency vehicle. DMV to maintain two records for those licensed as chauffeurs. Provides that only nonemployment driving record shall be furnished under Chapter 486 unless employment record is specifically requested. Act is not retroactive with respect to accidents and convictions reported prior to the effective date of the act.

- HB 2095 -- Allows fuel tax refund for fuel taxes paid on fuel used to pump petroleum products by power take-off unit without metering device at rate of refund presently allowed for fuel tax paid on fuel used to pump heating oils.
- HB 2100 -- Permits service upon nonresident and missing resident motorists by service upon Motor Vehicles Division without proof of due diligence where motorist receives actual notice of service by mail.
- HB 2257 -- Requires Motor Vehicles Division to prescribe warning lights and sirens or other audible signals for ambulances, including number required, placement, visibility, audibility, rate of flash if applicable and inside indicators. Makes it illegal to use any siren or audible signal not approved by the Motor Vehicles Division. Effective date July 1, 1973.
- HB 2258 -- Enacts Habitual Traffic Offenders Act. Persons with certain number of certain kinds of convictions, within a five year period, may be declared "habitual offender" and ordered by court not to drive for 10 years. Permits issuance of one-year renewable probationary license to habitual offenders under certain limited conditions. Provides penalty for conviction for driving while court order is in effect of not less than 30 days in jail or more than one year. Does not permit sentence to be suspended nor imposition deferred.
- HB 2275 -- Amends ORS 483.999 to provide for a jail sentence of not less than six days and not more than one year upon conviction for driving with a blood alcohol reading of .15 per cent or more, and at discretion of the court, a fine of not more than \$2,000 providing it is a second or subsequent conviction on the charge within five years. For a first conviction, the penalty may be a jail sentence, a fine, or both, or the court may order the driver to participate in an appropriate rehabilitation program. Court may suspend the sentence, grant probation or parole only under limited conditions spelled out by law. Amends ORS 482.60 and 482.477 to reduce suspension for a first offense of driving while under the influence from 90 days to 30 days and eliminate "occupational" license following a first conviction. Permits Motor Vehicles Division to reinstate license for a second or subsequent conviction if the person enrolls in a rehabilitation program for problem drinkers approved by the Mental Health Division and if such reinstatement and rehabilitation are recommended in writing by the Mental Health Division. Retention of suspended license is dependent upon continued participation in and successful completion of the rehabilitation program. Permits division to reinstate license after a first conviction only if licensee applies to the division in writing and states that he is an alcoholic in need of rehabilitation. Takes effect on passage.
- HB 2279 -- Requires Medical Examiner to transmit copies of alcohol readings to Motor Vehicles Division when tests taken. Requires tests on motor vehicle accident victims if death occurs within five hours after the accident and the victim is over 13 years old.

- HB 2311 -- Re-defines disabled person in ORS 483.352 and provides that when parallel parking is provided persons so defined may park near end of block, alley or curb ramp without penalty.
- HB 2325 -- Extends vehicle registration period from 12 to 24 months for passenger vehicles, motorcycles and most other vehicles, except those licensed as commercial vehicles and under proration. Increases fee for 24-month license to \$20 for passenger vehicles; \$6 for motorbicycles and motorcycles. Takes effect January 1, 1974.
- HB 2368 -- Changes penalty classification for crime of forging or altering certificate of title or certificate of registration or printing or producing title or registration forms. Unlawfully publishing certificate of title forms becomes a Class C misdemeanor, unlawfully publishing blank operator or chauffeur's licenses becomes a Class A misdemeanor.
- HB 2408 -- Prohibits registration and issuance of certificate of title for a mobile home without a certificate of origin from manufacturer. Prohibits transfer of title unless division satisfied certain taxes are paid, requires payment of property taxes before unit is moved.
- Defines "vehicle" to include mobile home, travel trailer or camper for purposes of designated provisions relating to perfection of security interest. Requires trip permit for all movements of mobile homes by dealers, and authorizes refund of certain mobile home taxes when mobile home is moved out of state and new state does not honor mobile home license issued by Motor Vehicles Division.
- HB 2420 -- Exempts modified American-made pre-1935 vehicles or any identifiable vintage or replica thereof from fender requirement when used for show and pleasure and driven only during fair weather on well maintained, hard-surface roads.
- HB 2454 -- Authorizes issuance of reflectorized license plates and establishes an additional \$1 fee for issuance of two plates, .50 cents for single-plated vehicles. Effective January 1, 1975, but requires division to issue reflectorized plates at earlier dates, as stocks of current plates are depleted.
- HB 2457 -- Defines "tow car" and "pilot vehicle." Requires use of revolving flashing amber or red light when tow car or truck connecting to another vehicle and moving it on to street or highway. Authorizes flashing, revolving amber light on pilot vehicles escorting oversize vehicles and permits public utility vehicles to use flashing amber light, either revolving or stationary, in lieu of other authorized lights when vehicles engaged in maintenance, repair or construction of their facilities along a highway.
- HB 2550 -- Authorizes Motor Vehicles Division to issue non-driver identification cards and establishes a fee the same as for an original driver's license. ID card to be renewed same as a driver's license, upon payment of fee. Takes effect January 1, 1974.
- HB 2644 -- Adopts additional bicycle rules of the road and amends present equipment requirement sections for bicycles. Defines bicycle path and bicycle lane. Prohibits driving or parking a motor vehicle on a bicycle path.

- HB 2721 -- Permits all motor vehicles and trailers used in Oregon to be equipped with tri-color rear lighting system consisting of red, yellow and green lights indicating that brake is being applied, vehicle is coasting or idling, or that accelerator is depressed or vehicle is moving forward under power. Eliminates yellow as permitted color for stop lamps. Takes effect on passage.
- HB 2728 -- Prohibits person in a motor vehicle on a highway from drinking any alcoholic liquor or having an opened container containing an alcoholic liquor on person or stored in passenger compartment of vehicle. Exempts publicly owned transit vehicles, common carriers used primarily to carry passengers for hire, and the living quarters of a camper or motor home.
- HB 2820 -- Makes it sufficient, for purposes of all prosecutions for motor vehicle parking laws, to charge defendant by an unsworn written notice delivered to defendant or placed in conspicuous place on vehicle involved in violation. Provides that district court and justice court have concurrent jurisdiction over parking offenses committed within county, and city court for offenses committed within jurisdictional authority of city. Excludes parking violations from application of uniform traffic citation provisions. Takes effect on passage.
- HB 2825 -- Permits authorized emergency vehicles, as defined in ORS 483.002 to use studded tires beyond the dates otherwise specified in law.
- HB 2846 -- Permits continuation of issuance of special 60 day permits to vehicles transporting food processing plant by-products to be used for livestock feed from which there is a fluid leakage. Permits may be revoked if the amount or character of fluid leakage constitutes a danger to other vehicles. Authority expires after December 31, 1974.
- HB 2876 -- Amends 481.225 to exclude from the definition of "farmer" corporations, or subsidiaries of corporations, if shares of the corporation or subsidiary are owned by more than 100 shareholders. Relates to "farm" vehicle licenses.
- HB 2896 -- Requires Motor Vehicles Division to make physical inspection of vehicle identification numbers and to check with National Crime Information Center on all foreign vehicles registered and titled in Oregon. Requires division to issue temporary number plate to applicant while confirmation is pending. Allows division to waive inspection fee and designate person or agency to perform inspection if motor vehicle is located in another state or country. Fee of \$5 authorized for ID inspection of vehicle.
- HB 2920 -- Amends ORS 483.345 requiring the exercise of reasonable care in driving a vehicle to provide a penalty as a Class C misdemeanor.
- HB 3129 -- Increases fee schedule of Motor Vehicles Division for driver record abstracts, instruction permits, driver and chauffeur licenses and license reinstatements. Adds a \$3.50 fee to endorse license for motorcycle operation.

- HB 3166 -- Creates a five member Oregon Transportation Commission, and abolishes State Highway Commission, Oregon State Board of Aeronautics, and offices of commissioners for Mass Transit Division and Ports Division. Motor Vehicles Division, Aeronautics Division, Highway Division, Ports Division and Mass Transit Division included in Department of Transportation. Takes effect on passage.
- HB 3180 -- Subjects salvage pools to licensing, the same as auto wreckers. Requires administrative inspections of wrecker and salvage pool businesses to determine if provisions and rules of Motor Vehicles Division being complied with. Requires that license plates and certificate of title of destroyed vehicle be delivered to Motor Vehicles Division. Prescribes procedure by which vehicles may be accepted for salvage operations and prescribes penalties.
- HB 3183 -- Requires that transfer notice be attached to certificate of title. Requires transferor of motor vehicle, trailer or semi-trailer for which an Oregon certificate of title has been issued to indorse on back of both transfer notice and certificate name, address and date of birth of transferee, and if transferee is licensed dealer registration number assigned to the dealer. Requires transferor to present transfer notice to Motor Vehicles Division within three days after transfer.
- HB 3187 -- Requires payment of single trip permit fee of \$3 for an over-width vehicle or \$30 for an annual permit.
- HB 3265 -- Amends current law prohibiting towing a "house trailer" containing a passenger to prohibit towing a mobile home or travel trailer containing a passenger.
- HB 3267 -- Authorizes State Police to remove abandoned vehicles from Interstate highways.

Prepared by  
Motor Vehicles Division  
Salem, Oregon 97310

TO: Recipients of Motor Vehicles Legislative Summary  
FROM: Motor Vehicles Division  
SUBJECT: HB 2275 -- Correction  
DATE: 7-20-1973

The summary of 1973 legislation forwarded to you recently contained an error in explaining HB 2275. This bill was further amended on July 5 and copies of the changes were not distributed prior to the time the summary was prepared.

The correct summary of this measure is as follows: (major changes from previous summary are underlined)

HB 2275 -- Amends ORS 483.999 to provide for a jail sentence of not less than six days and not more than one year upon conviction for driving with a blood alcohol reading of .15 per cent or more, and at the discretion of the court, a fine of not more than \$2,000 providing it is a second or subsequent conviction on the charge within five years. For a first conviction, the penalty may be the jail sentence, a fine, or both; or a jail sentence, participation in an appropriate rehabilitation program or both. Court may suspend the sentence, grant probation or parole only under very limited conditions spelled out by law. Driving with a .15 reading is added to the list of "major traffic offenses." Amends ORS 482.430 and 482.477 to reduce suspension for a first offense of driving while under the influence from 90 days to 30 days and permits occupational license following a first conviction if it is in the best interest of the public as well as the defendant. Permits Motor Vehicles Division to reinstate license for one year for second or subsequent conviction if the person is determined to be a problem drinker and enrolls in a rehabilitation program for problem drinkers approved by the Mental Health Division and if such reinstatement and rehabilitation are recommended in writing by the Mental Health Division and by the convicting court. Retention of reinstated one-year license is dependent upon continued participation in and successful completion of the rehabilitation program, a good driving record and compliance with any conditions imposed by the division

The July 5 amendment also change the penalty provision for driving while a license is suspended, as follows: first conviction, a jail sentence of not less than two days nor more than one year and, in the discretion of the court a fine of not more than \$1,000. Second conviction, within a five year period, a jail sentence of not less than 10 days nor more than one year, and there may be imposed in addition a fine of not more than \$1,500. Third or subsequent conviction, within a five year period, a jail sentence of not less than 30 days nor more than one year, and there may be a fine of not more than \$2,000. Takes effect on passage.