

# House Bill 3273

Sponsored by Representative WINGARD; Representatives BAILEY, BARKER, BARNHART, BENTZ, BERGER, BOONE, BREWER, CAMERON, CLEM, CONGER, DOHERTY, ESQUIVEL, FREDERICK, FREEMAN, GARRARD, GARRETT, GELSER, GILLIAM, HANNA, HARKER, HOLVEY, HOYLE, HUFFMAN, HUNT, JENSON, JOHNSON, KENNEMER, KOMP, KOTEK, KRIEGER, LINDSAY, MATTHEWS, MCLANE, NOLAN, OLSON, PARRISH, ROBLAN, SCHAUFLER, SHEEHAN, G SMITH, SPRENGER, THATCHER, THOMPSON, TOMEI, WAND, WEIDNER, WHISNANT, WITT (at the request of Vicki Jeffries Bilton)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows household member to continue to use confidential address on records maintained by Department of Transportation for up to four years after eligible employee or corrections officer is killed in line of duty.

## A BILL FOR AN ACT

1  
2 Relating to address on Department of Transportation records; creating new provisions; and amend-  
3 ing ORS 802.250 and 802.253.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 802.250 is amended to read:

6 802.250. (1) An eligible public employee may request that any driver or vehicle record kept by  
7 the Department of Transportation that contains or is required to contain the eligible employee's  
8 residence address contain instead the address of the public agency employing the eligible employee.  
9 A request under this section shall:

10 (a) Be in a form specified by the department that provides for verification of the eligible  
11 employee's employment.

12 (b) Contain verification by the employing public agency of the eligible employee's employment  
13 with the public agency.

14 (2) Upon receipt of a request and verification under subsection (1) of this section, the depart-  
15 ment shall remove the eligible employee's residence address from its records, if necessary, and sub-  
16 stitute therefor the address of the public agency employing the eligible employee. The department  
17 shall indicate on the records that the address shown is an employment address. While the request  
18 is in effect, the eligible employee may enter the address of the public agency employing the eligible  
19 employee on any driver or vehicle form issued by the department that requires an address.

20 (3) A public agency that verifies an eligible employee's employment under subsection (1) of this  
21 section shall notify the department within 30 days if the eligible employee ceases to be employed  
22 by the public agency. The eligible employee shall notify the department of a change of address as  
23 provided in ORS 803.220 or 807.560.

24 **(4) If an eligible employee is killed in the line of duty, a person who is a household**  
25 **member of the eligible employee may request that any driver or vehicle record kept by the**  
26 **department that contains or is required to contain the eligible employee's residence address**  
27 **continue to contain the address of the public agency that employed the eligible employee for**  
28 **up to four years after the date of the death of the eligible employee. On or before the date**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **on which the four-year period ends, the household member shall notify the department of a**  
 2 **change of address as provided in ORS 803.220 or 807.560. A request under this subsection shall**  
 3 **be in a form specified by the department.**

4 [(4)] (5) As used in this section, “eligible employee” means:

5 (a) A member of the State Board of Parole and Post-Prison Supervision.

6 (b) The Director of the Department of Corrections and an employee of an institution defined in  
 7 ORS 421.005 as Department of Corrections institutions, whose duties, as assigned by the super-  
 8 intendent, include the custody of persons committed to the custody of or transferred to the institu-  
 9 tion.

10 (c) A parole and probation officer employed by the Department of Corrections and an employee  
 11 of the Department of Corrections Release Center whose duties, as assigned by the Chief of the Re-  
 12 lease Center, include the custody of persons committed to the custody of or transferred to the Re-  
 13 lease Center.

14 (d) A police officer appointed under ORS 276.021 or 276.023.

15 (e) An employee of the State Department of Agriculture who is classified as a brand inspector  
 16 by the Director of Agriculture.

17 (f) An investigator of the Criminal Justice Division of the Department of Justice.

18 (g) A corrections officer as defined in ORS 181.610.

19 (h) A federal officer. As used in this paragraph, “federal officer” means a special agent or law  
 20 enforcement officer employed by:

21 (A) The Federal Bureau of Investigation;

22 (B) The United States Secret Service;

23 (C) The United States Citizenship and Immigration Services;

24 (D) The United States Marshals Service;

25 (E) The Drug Enforcement Administration;

26 (F) The United States Postal Service;

27 (G) The United States Customs and Border Protection;

28 (H) The United States General Services Administration;

29 (I) The United States Department of Agriculture;

30 (J) The Bureau of Alcohol, Tobacco, Firearms and Explosives;

31 (K) The Internal Revenue Service;

32 (L) The United States Department of the Interior; or

33 (M) Any federal agency if the person is empowered to effect an arrest with or without warrant  
 34 for violations of the United States Code and is authorized to carry firearms in the performance of  
 35 duty.

36 (i) An employee of the Department of Human Services or the Oregon Health Authority whose  
 37 duties include personal contact with clients or patients of the department or the authority.

38 (j) Any judge of a court of this state.

39 (k) An employee of the Oregon Youth Authority whose duties include personal contact with  
 40 persons committed to the legal or physical custody of the authority.

41 (L) A district attorney, as defined in ORS 131.005, or deputy district attorney.

42 (m) An employee who provides educational services to persons who are clients or patients of the  
 43 Department of Human Services or the Oregon Health Authority, who are under the jurisdiction of  
 44 the Psychiatric Security Review Board or who are under the custody or supervision of the Depart-  
 45 ment of Corrections, the State Board of Parole and Post-Prison Supervision, a community corrections

1 agency, the Oregon Youth Authority or a juvenile department. As used in this paragraph, “employee  
 2 who provides educational services” means a person who provides instruction, or services related to  
 3 the instruction, of a subject usually taught in an elementary school, a secondary school or a com-  
 4 munity college or who provides special education and related services in other than a school setting  
 5 and who works for:

6 (A) An education service district or a community college district; or

7 (B) A state officer, board, commission, bureau, department or division in the executive branch  
 8 of state government that provides educational services.

9 (n) An employee of the Oregon Liquor Control Commission who is:

10 (A) An inspector;

11 (B) An investigator; or

12 (C) A regulatory manager.

13 (o) A police officer as defined in ORS 801.395.

14 **SECTION 2.** ORS 802.253 is amended to read:

15 802.253. (1) As used in this section:

16 (a) “Correctional facility” means an institution used for the confinement of persons convicted  
 17 of a criminal offense or held by court order.

18 (b) “Corrections officer” means a person employed in a correctional facility, wherever it may  
 19 be located, who primarily performs the duty of custody, control or supervision of individuals con-  
 20 victed of a criminal offense.

21 (2) A corrections officer, who is a resident of Oregon but is employed in a correctional facility  
 22 located in a state other than Oregon, may request that any driver or vehicle record kept by the  
 23 Department of Transportation that contains or is required to contain the corrections officer’s resi-  
 24 dence address contain instead the address of the correctional facility employing the corrections of-  
 25 ficer. A request under this subsection must:

26 (a) Be in a form specified by the department that includes designation of the Oregon county of  
 27 residence.

28 (b) Contain verification of employment as determined adequate by the department to establish  
 29 eligibility for this service.

30 (3) Upon receipt of a request and verification under this section, the department shall remove  
 31 the corrections officer’s residence address from its records, if necessary, and substitute the address  
 32 of the correctional facility employing the corrections officer. The department shall indicate on the  
 33 records that the address shown is an employment address. While the request is in effect, the cor-  
 34 rections officer may enter the address of the correctional facility employing the corrections officer  
 35 on any driver or vehicle form issued by the department that requires an address.

36 (4) If the corrections officer ceases to be employed in the correctional facility, the corrections  
 37 officer shall notify the department of a change of address as provided in ORS 803.220 or 807.560.

38 **(5) If a corrections officer is killed in the line of duty, a person who is a household**  
 39 **member of the corrections officer may request that any driver or vehicle record kept by the**  
 40 **department that contains or is required to contain the corrections officer’s residence address**  
 41 **continue to contain the address of the public agency that employed the corrections officer**  
 42 **for up to four years after the date of the death of the corrections officer. On or before the**  
 43 **date on which the four-year period ends, the household member shall notify the department**  
 44 **of a change of address as provided in ORS 803.220 or 807.560. A request under this subsection**  
 45 **shall be in a form specified by the department.**

1        **SECTION 3.** The amendments to ORS 802.250 and 802.253 by sections 1 and 2 of this 2011  
2 Act apply to eligible employees and corrections officers killed in the line of duty before, on  
3 or after the effective date of this 2011 Act.

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