

B-Engrossed
Senate Bill 82

Ordered by the House June 4
Including Senate Amendments dated April 22 and House Amendments
dated June 4

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary)

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.

Eliminates suspension of driving privileges for person convicted of possessing less than one ounce of marijuana. **Permits court to order suspension of driving privileges if person is under 18 years of age under certain circumstances.**

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to crime; creating new provisions; amending ORS 809.265; and declaring an emergency.

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

4 **SECTION 1.** ORS 809.265 is amended to read:

5 809.265. (1) Unless the court finds compelling circumstances not to order suspension of driving
6 privileges, the court in which a person is convicted of an offense described in this subsection shall
7 order suspension of the person's driving privileges. This subsection applies when a person is con-
8 victed of:

9 (a) Any offense involving manufacturing, possession or delivery of controlled substances, **except**
10 **for possession of less than one avoirdupois ounce of marijuana as described in ORS 475.864**
11 **(3).**

12 (b) Driving while under the influence of intoxicants in violation of ORS 813.010 or of a municipal
13 ordinance if the person was under the influence of an inhalant or a controlled substance.

14 **(2) The court in which a person is convicted of possession of less than one avoirdupois**
15 **ounce of marijuana, as described in ORS 475.864 (3), may order suspension of the person's**
16 **driving privileges if the person is under 18 years of age and the court determines that sus-**
17 **pension of the person's driving privileges is necessary for the safety of the community. The**
18 **court shall indicate the findings supporting the suspension in the judgment.**

19 [(2)] **(3)** Upon receipt of an order under this section, the department shall take action as directed
20 under ORS 809.280.

21 **SECTION 2.** The amendments to ORS 809.265 by section 1 of this 2013 Act apply to con-
22 victions entered on or after the effective date of this 2013 Act.

23 **SECTION 3.** This 2013 Act being necessary for the immediate preservation of the public
24 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
25 on its passage.

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.

