

A-Engrossed
House Bill 2282

Ordered by the House April 16
Including House Amendments dated April 16

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Transportation and Economic Development)

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.

[Requires Department of Transportation to study development of uniform speed bump height and markings.]

[Sunsets January 2, 2018.]

Allows Department of Transportation to accept documents received electronically related to titling, registration, odometer disclosure and other activities.

Expands number of services for which vehicle dealer may charge purchaser. Establishes maximum fee vehicle dealer may charge for providing services.

A BILL FOR AN ACT

Relating to transportation; creating new provisions; and amending ORS 822.043.

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

SECTION 1. Section 2 of this 2015 Act is added to and made a part of the Oregon Vehicle Code.

SECTION 2. (1) As used in this section, "electronic signature" has the meaning given that term in ORS 84.004.

(2) The Department of Transportation may receive electronically transmitted documents necessary to:

(a) Issue or transfer a certificate of title for a vehicle;

(b) Register a vehicle or transfer registration of a vehicle;

(c) Issue a registration plate; or

(d) Comply with odometer disclosure requirements.

(3) Except as required in ORS 803.094 and 803.205 for affidavits, an acknowledgment before a notary public is not required when a document or signature is transmitted electronically under this section. When an affidavit is required under ORS 803.094 or 803.205, the department may accept a scanned copy of the person's signature and a scanned copy of the notary public's acknowledgment of the signature, which accurately reproduces the original signatures and contents of the document.

(4) The department may adopt rules relating to the electronic transmission of documents and the use of electronic signatures on documents described in subsection (2) of this section.

SECTION 3. ORS 822.043 is amended to read:

822.043. (1) As used in this section:

(a) "Integrator" has the meaning given that term in ORS 802.600.

(b) "Vehicle dealer" means a person issued a vehicle dealer certificate under ORS 822.020.

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 (2) A vehicle dealer may elect to prepare, submit, or prepare and submit documents necessary
2 to:

- 3 (a) Issue or transfer a certificate of title for a vehicle;
- 4 (b) Register a vehicle or transfer registration of a vehicle; or
- 5 (c) Issue a registration plate.

6 (3) A vehicle dealer who prepares any documents described in subsection (2) of this section:

- 7 (a) May charge a purchaser of a vehicle a fee for the preparation of those documents.
- 8 (b) May not charge a purchaser of a vehicle a fee for the submission of any document or the
9 issuance of a registration plate.

10 (c) **May charge a purchaser of a vehicle a fee for performing any of the following services**
11 **in connection with preparing the documents described in subsection (2) of this section:**

- 12 (A) **Verifying and clearing titles;**
- 13 (B) **Perfecting, releasing or satisfying liens or other security interests;**
- 14 (C) **Complying with federal security requirements; and**
- 15 (D) **Any other services rendered by a vehicle dealer for the purpose of complying with**
16 **state and federal laws related to the sale of a vehicle.**

17 (4) **The fee charged by a vehicle dealer under this section may not exceed:**

- 18 (a) **\$150, if the vehicle dealer uses an integrator; or**
- 19 (b) **\$115, if the vehicle dealer does not use an integrator.**

20 [(4) *The Department of Transportation may adopt rules to:*]

21 [(a) *Limit the amount of a fee charged under subsection (3) of this section. The limit established*
22 *by rule may not be less than:*]

23 [(A) *\$75, if the vehicle dealer uses an integrator; or*]

24 [(B) *\$50, if the vehicle dealer does not use an integrator.*]

25 [(b) *Determine when a vehicle dealer is required to inform the purchaser of the vehicle of the option*
26 *of using an integrator and when the purchaser has the option of electing to use an integrator.*]

27 (5) **If a vehicle dealer charges a fee under subsection (4)(a) of this section, of the amount**
28 **collected \$25 shall be paid to the integrator.**

29 [(5)] (6) Unless otherwise provided by rule, if a vehicle dealer uses an integrator and charges
30 a fee greater than that charged for not using an integrator, the dealer must inform the purchaser
31 of the vehicle of the option of using an integrator to prepare the documents. The purchaser may
32 then elect whether or not to have the vehicle dealer use an integrator to prepare the documents.
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