A-Bill for an Act

Relating to crime; creating new provisions; amending ORS 164.135; and declaring an emergency.

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

SECTION 1. ORS 164.135 is amended to read:

ORS 164.135. (1) A person commits the crime of unauthorized use of a vehicle when:

(a) (A) The person knowingly takes, operates, exercises control over, rides in or otherwise uses another's vehicle, boat or aircraft [without consent of the owner]; and

(B) The person knows or fails to be aware of a substantial and unjustifiable risk that the owner of the vehicle, boat or aircraft does not consent to the taking, operating, riding in or other use of, or the exercise of control over, the vehicle, boat or aircraft;

(b) Having custody of a vehicle, boat or aircraft pursuant to an agreement between the person or another and the owner thereof whereby the person or another is to perform for compensation a specific service for the owner involving the maintenance, repair or use of such vehicle, boat or aircraft, the person intentionally uses or operates it, without consent of the owner, for the person's own purpose in a manner constituting a gross deviation from the agreed purpose; or

(c) Having custody of a vehicle, boat or aircraft pursuant to an agreement with the owner thereof whereby such vehicle, boat or aircraft is to be returned to the owner at a specified time, the person knowingly retains or withholds possession thereof without consent of the owner for so lengthy a period beyond the specified time as to render such retention or possession a gross deviation from the agreement.

(2) Unauthorized use of a vehicle, boat or aircraft is a Class C felony.

(3) Subsection (1)(a) of this section does not apply to a person who rides in or otherwise uses a public transit vehicle, as defined in ORS 166.116, if the vehicle is being operated by an authorized operator within the scope of the operator's employment.

SECTION 2. The amendments to ORS 164.135 by section 1 of this 2017 Act apply to con-
duct occurring on or after the effective date of this 2017 Act.

SECTION 3. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.

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