

Senate Bill 973

Sponsored by COMMITTEE ON BUSINESS AND TRANSPORTATION (at the request of Oregon Vehicle Dealer Association)

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**.

Requires vehicle dealers who conduct vehicle auction under certain circumstances to prepare and submit documents necessary to issue or transfer certificate of title for vehicle sold.

A BILL FOR AN ACT

1
2 Relating to vehicle dealers; creating new provisions; and amending ORS 822.043.

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

4 **SECTION 1.** ORS 822.043 is amended to read:

5 822.043. (1) As used in this section:

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

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

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

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

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

12 (c) Issue a registration plate;

13 (d) Verify and clear a title;

14 (e) Perfect, release or satisfy a lien or other security interest;

15 (f) Comply with federal security requirements; or

16 (g) Render any other services for the purpose of complying with state and federal laws related
17 to the sale of a vehicle.

18 **(3) If a vehicle dealer conducts a vehicle auction that is open to the public and the vehicle**
19 **dealer sells a vehicle to a resident of this state, as described in ORS 807.062, who is not a**
20 **vehicle dealer, then the vehicle dealer shall prepare and submit documents necessary to issue**
21 **or transfer a certificate of title for the vehicle.**

22 [(3)] (4) A vehicle dealer who prepares any documents described in subsection (2) **or (3)** of this
23 section:

24 (a) May charge a purchaser of a vehicle a document processing fee for the preparation of those
25 documents.

26 (b) May not charge a purchaser of a vehicle a document processing fee for the submission of
27 any document or the issuance of a registration plate.

28 (c) May charge a purchaser of a vehicle a document processing fee for performing any of the
29 services described in subsection (2) **or (3)** of this section in connection with preparing the docu-
30 ments described in subsection (2) **or (3)** of this section.

31 [(4)] (5) A purchaser of a vehicle may negotiate the amount of the document processing fee with

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 a vehicle dealer, but in no case shall the document processing fee charged by a vehicle dealer under
2 this section exceed:

3 (a) \$150, if the vehicle dealer uses an integrator; or

4 (b) \$115, if the vehicle dealer does not use an integrator.

5 [(5)] (6) If a vehicle dealer charges a document processing fee under subsection [(4)(a)] (5)(a)
6 of this section, of the amount collected \$25 shall be paid to the integrator.

7 [(6)] (7) Unless otherwise provided by rule, if a vehicle dealer uses an integrator and charges
8 a document processing fee greater than that charged for not using an integrator, the dealer must
9 inform the purchaser of the vehicle of the option of using an integrator to prepare the documents.
10 The purchaser may then elect whether or not to have the vehicle dealer use an integrator to pre-
11 pare the documents.

12 [(7)] (8) If the purchaser of a vehicle pays a document processing fee, the vehicle dealer shall
13 prepare and submit all documents to complete the transaction as permitted by law.

14 **SECTION 2. The amendments to ORS 822.043 by section 1 of this 2017 Act apply to vehi-**
15 **cles sold on or after the effective date of this 2017 Act.**

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