

Enrolled
House Bill 2576

Sponsored by Representatives MCKEOWN, MCLAIN; Representatives GOMBERG, HOLVEY (Pre-session filed.)

CHAPTER

AN ACT

Relating to motor vehicles; amending ORS 98.858, 803.060, 803.530, 803.575 and 819.030; and repealing ORS 803.590.

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

SECTION 1. ORS 98.858 is amended to read:

98.858. (1) A tower in physical possession of a motor vehicle shall permit the owner or person in lawful possession of a motor vehicle the tower has towed to:

(a) Redeem or inspect the motor vehicle:

(A) Between 8 a.m. and 6 p.m. on business days;

(B) At all other hours, within 60 minutes after asking the tower to release or allow for the inspection of the motor vehicle; and

(C) Within 30 minutes of a time mutually agreed upon between the tower and the owner or person in lawful possession of the motor vehicle;

(b) Contact the tower at any time to receive information about the location of the motor vehicle and instructions for obtaining release of the motor vehicle; and

(c) Obtain all personal property of an emergency nature in the motor vehicle **and the motor vehicle's registration plates** within the time allowed under paragraph (a) of this subsection.

(2) A tower may not charge the owner or person in lawful possession of the motor vehicle a fee in any amount to obtain personal property of an emergency nature **or registration plates** except for a gate fee between the hours of 6 p.m. and 8 a.m. on business days, or on a Saturday, a Sunday or a legal holiday.

(3) As used in this section, "personal property of an emergency nature" includes but is not limited to prescription medication, eyeglasses, hearing aids, clothing, identification, a wallet, a purse, a credit card, a checkbook, cash and child safety car and booster seats.

SECTION 2. ORS 819.030 is amended to read:

819.030. The Department of Transportation shall comply with the following procedures upon receiving a certificate of title or other notice in accordance with the provisions of ORS 819.010, 819.012 or 819.014:

(1) If the department is satisfied that the vehicle is [*totaled,*] wrecked, dismantled[,] **or** disassembled [*or substantially altered*], the department shall cancel and retire the registration and title of the vehicle. Except for issuance of a salvage title, the department [*shall*] **may** not register or title the vehicle again unless:

(a) The department is satisfied that the original title certificate, if any, was surrendered in error or that notice was submitted in error and the record canceled in error; **or**

(b) The vehicle is registered or titled as an assembled vehicle, a reconstructed vehicle or a replica[; or]

[(c) The vehicle is recovered after a theft if the theft is the reason that the vehicle was considered a totaled vehicle].

(2) If the department is satisfied that the vehicle is *[totaled,]* wrecked, dismantled or disassembled, the department may issue a proof of compliance form if no salvage title is issued for the vehicle.

(3) If the department is satisfied that the vehicle is totaled or substantially altered, the department may:

(a) Issue a salvage title, retire the vehicle's registration and cancel the title; or

(b) Issue a branded title.

(4) If a vehicle is recovered after a theft and the theft is the reason that the vehicle was considered a totaled vehicle or the department issues a branded title for a totaled or substantially altered vehicle, a person may apply with the department to keep the same registration plates and the remaining registration period represented by the plates with that vehicle. The department may allow the owner to keep the registration plates if the plates are legible and capable of being used for identification purposes.

(5) A person may apply with the department to transfer plates from a vehicle for which the department previously received a totaled or substantially altered notification. A plate transfer request must be in accordance with the provisions of ORS 803.530.

(6) The owner of a vehicle whose title and registration have been canceled and retired due to the department being notified it is totaled, wrecked, dismantled, disassembled or substantially altered is entitled to an administrative review to determine whether the notification was correct.

SECTION 3. ORS 803.530, as amended by section 10, chapter 114, Oregon Laws 2018, is amended to read:

803.530. (1) Registration plates assigned to a vehicle by the Department of Transportation shall remain with the vehicle to which the plates are assigned and are valid only during the registration period for which the plates are issued except as provided in *[the following:]* **this section.**

[(1)] (2) The department may allow registration plates to be transferred to another vehicle if:

(a) The department receives an application;

(b) The applicant pays the plate transfer fee under ORS 803.575; and

(c) The applicant complies with the registration qualifications described in ORS 803.350.

[(2)] (3) The department shall transfer registration plates under this section if the applicant and the vehicle qualify for the plates and the plates are:

(a) Legible and capable of being used for identification purposes; and

(b) Any of the following:

(A) From a current issue of registration plates;

(B) Customized registration plates described under ORS 805.240;

(C) Oregon Trail commemorative registration plates issued under section 113, chapter 741, Oregon Laws 1993;

(D) Special registration plates issued under ORS 805.255, 805.260, 805.263, 805.266, 805.278 or 805.283;

(E) Group registration plates issued under ORS 805.205;

(F) Veterans' recognition registration plates issued under ORS 805.105;

(G) Pacific Wonderland registration plates issued under section 2, chapter 823, Oregon Laws 2009; or

(H) Registration plates issued through the special registration program under ORS 805.222.

[(3)] (4) Notwithstanding ORS 803.400, when registration plates are transferred from one vehicle to another vehicle owned by the same person, the registration period represented by the plates also transfers with the plates. When registration plates are transferred from one vehicle to another vehicle not owned by the same person, the remaining registration period represented by the trans-

ferred plates ceases for both the vehicle receiving the transferred plates and the vehicle from which the plates were removed.

[(4)] (5) The owner of a registered vehicle to which a plate is assigned may replace a registration plate. The following apply to this subsection:

(a) To replace a plate under this subsection, the owner must apply to the department for replacement of the plate in a form prescribed by the department and pay the replacement plate fee established under ORS 803.575.

(b) The department, in lieu of replacement, may issue duplicate plates for the same fee as charged for replacements.

(c) The plates issued under this subsection are valid only for the period of the plates replaced.

[(5)] (6) A county may replace a registration plate that is from a specially designed government series with a registration plate that is from a regular series. The following apply to this subsection:

(a) To replace a plate under this subsection, the county must apply to the department for replacement of the plate in a form prescribed by the department and pay the replacement plate fee established under ORS 803.575.

(b) The plates issued under this subsection are valid only for the period of the plates replaced.

[(6) *This section does not apply to:*]

[(a) *Special interest registration plates approved under ORS 805.210; or*]

[(b) *Transfers under ORS 803.590.*]

(7) If the department retired the vehicle's registration under ORS 819.030 because the vehicle is totaled or substantially altered, a person may apply under subsection (2) of this section to transfer the registration plates to another vehicle.

(8) Subject to subsections (2) and (4) of this section, after the department authorizes the use of special interest plates under ORS 805.210, a person may apply to transfer the plates to either:

(a) A vehicle that was previously determined by the department to qualify as a vehicle of special interest; or

(b) A vehicle approved by the department as a vehicle of special interest at the time of application.

(9) If a person described in subsection (8) of this section provides the department with only one special interest registration plate for transfer and the department's vehicle records show the special interest registration plate belongs to a vehicle record with no owner matching an applicant, the applicant shall provide proof, as determined by the department by rule, that the plate is no longer used on the vehicle it is currently showing being registered to in the department's vehicle records.

SECTION 4. ORS 803.575 is amended to read:

803.575. (1) The fee for issuance of a duplicate or replacement registration card under ORS 803.510 is \$5.

(2) The fee for issuance of a replacement or duplicate registration plate under ORS 803.530 is the fee established under ORS 803.570, together with a fee of \$5 if the plate is issued at the time of renewal of registration or a fee of \$10 if the plate is issued at any other time.

(3) The fee for transfer of registration plate under ORS 803.530 [*or 803.590*] is \$6.

(4) The fee for issuance of replacement registration stickers under ORS 803.555, is \$10.

(5) The fee for issuance of both replacement or duplicate registration plates and replacement registration stickers, when issued at the same time, is the fee established under ORS 803.570, together with a fee of \$5 if the plate and stickers are issued at the time of renewal of registration or a fee of \$10 if the plate and stickers are issued at any other time.

(6) A fee paid under subsection (2), (4) or (5) of this section includes the cost of any duplicate or replacement registration card issued.

SECTION 5. ORS 803.060 is amended to read:

803.060. A title does not require a renewal and is valid until one of the following occurs:

(1) The vehicle is destroyed[,] **or** dismantled [*or substantially altered*].

(2) Any interest reflected on the title changes.
SECTION 6. ORS 803.590 is repealed.

Passed by House March 13, 2019

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate March 25, 2019

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Secretary of State