

B-Engrossed
Senate Bill 113

Ordered by the Senate May 31
Including Senate Amendments dated April 26 and May 31

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 Business and Transportation)

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.

[Authorizes court to award prevailing retail customers, who bring actions against vehicle dealers relating to vehicle registration or vehicle titling, attorney fees under certain circumstances.]

Provides that retail customer may bring individual action against vehicle dealer that fails to comply with certain requirements related to transfer of interest in vehicle. Allows for award of attorney fees in action under certain circumstances.

A BILL FOR AN ACT

1
2 Relating to vehicle dealers.

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

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of the Oregon Vehicle**
5 **Code.**

6 **SECTION 2. If a vehicle dealer fails to comply with ORS 822.042 (1)(b) or (d) or 822.045**
7 **(1)(k), the retail customer of the subject vehicle may bring an individual action against the**
8 **vehicle dealer in the appropriate court. The court may award reasonable attorney fees to a**
9 **prevailing plaintiff who brings an action under this section if the court finds all of the fol-**
10 **lowing:**

11 **(1) A written demand was made on the defendant not less than 30 days before com-**
12 **mencement of the action requesting compliance or other remedy.**

13 **(2) The defendant failed to comply or provide the remedy, including paying the plaintiff**
14 **reasonable attorney fees and costs incurred by the plaintiff, within 30 days of the date of the**
15 **written demand.**

16

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.