

TRAFFIC NEWSLETTER

Administrator's Office 1905 Lana Avenue NE Salem, Oregon 97314

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NEW TRAFFIC CONVICTIONS ● The 2003 Oregon Legislature created a number of new traffic convictions, most of which take effect January 1, 2004. Here is a synopsis of those convictions:

HB 2176 – This bill requires drivers to maintain a safe distance from an emergency vehicle or ambulance when that emergency vehicle or ambulance is stopped and is displaying the required warning lights. The driver must make a lane change to a lane not adjacent to the vehicle if the highway has two or more lanes for traffic in a single direction. If making a lane change is unsafe, the driver must reduce the speed of their vehicle. If on a two lane road, the driver must reduce speed. Failure to maintain a safe distance from an emergency vehicle or ambulance is a Class B traffic violation.

HB 2338 – This bill amends ORS 811.205, prohibiting carrying a minor in the open bed or other external part of a motor vehicle. The bill provides for exceptions under the following circumstances:

- (a) If the minor in the open bed of the vehicle is secured with a safety belt or harness that complies with ORS 815.055;
- (b) If the vehicle is being operated in an organized parade; or
- (c) If the minor is seated on the floor of the open bed of the vehicle in which all available passenger seats are occupied by minors, the tailgate is securely closed and the minor is being transported:
 - In the course and scope of employment, provided the minor is being transported in compliance with law and rules regulating the transport of workers; or
 - Between a hunting camp and a hunting site or between hunting sites during hunting season and the minor has a hunting license.

HB 2338 became effective November 26, 2003. Carrying a minor on an external part of a motor vehicle is a Class B traffic violation.

HB 2422 – This bill amends ORS 811, creating the offense of failure to yield to a traffic patrol member. The driver commits the offense if the driver fails to stop and yield the right of way to a traffic patrol member who has entered a crosswalk for the purpose of directing students who have entered or are about to enter the crosswalk. The traffic patrol member must carry a flag or be wearing something identifying the person as a traffic patrol member. Failure to yield to a traffic patrol member is a Class A traffic violation.

HB 2661 – This bill consolidates speed laws and allows the Department of Transportation to change the maximum speed limit for vehicles on interstate highways if, after engineering and traffic investigation, they determine that the statutory speed for the interstate highway is greater

or less than is reasonable or safe under conditions the department finds to exist. The legislation also specifies that the maximum speed limit for specified vehicles, including trucks or tractor trucks with a gross vehicle weight rating of more than 8,000 pounds, school buses, school activity vehicles, worker transport buses, and certain other vehicle types, may not be more than five miles per hour less than the speed of all other vehicles on the specified section of interstate highway.

This bill repeals 811.110, V FED MAX SP; 811.112, V SP RI HWY; 811.115, V BUS/TRK SP; 811.120, BEACH SP; and 811.123, V URB SP. In addition to the new convictions created, violating the designated speed and violating the speed limit in a school zone, the bill preserves the basic rule statute.

HB 2661 is effective January 1, 2004. This bill also delays implementation of SB 179. (See below.)

SB 179 – This bill gives drivers easy-to-understand rules for traffic speed in school zones. The signs designating school zones will define what the speed limit is and when the speed limit must be observed without requiring drivers to determine if children are present. The school zone speed limit for the streets adjacent to a school will depend on the posted speed of the street.

The school zone definition expands to include a highway segment with a crosswalk that is not adjacent to a school but is marked by school zone signs and crosswalk markings. The speed limit will be 20 mph for such crosswalk segments either during posted times, when flashing lights are operating or when children are present. The term “when children are present” will be defined to be when children are in a crosswalk, waiting at a crosswalk or when a crossing guard is present.

Implementation of this bill was delayed by HB 2661 to July 1, 2004, allowing the bill to take effect between school years rather than during a school year.

SB 187 –This bill amends ORS 807.200, 807.240 and 807.270, prohibiting the issuance of a hardship or probationary permit that authorizes the operation of a commercial motor vehicle. This legislation puts Oregon into compliance with Federal law that prohibits issuing hardship or probationary permits to drivers of commercial vehicles. The bill, which becomes effective January 1, 2004, will have no impact on CDL holders who have a valid hardship permit as of the effective date.

SB 189 –This bill amends current law, prohibiting the organizing of a speed race. This legislation creates a new offense and makes the violation a Class C felony, punishable by five years in prison, a \$100,000 fine, or both. In addition to these penalties, a conviction results in a one-year revocation of the person’s driving privilege. The bill provides an exception if the person has permission from the road authority for the highway on which the event takes place.

SB 315 – This bill amends several sections of ORS 811 clarifying pedestrian right of way. Generally, the revisions require motorists to “stop and remain stopped” or to “stop” in situations formerly requiring them to “yield” to pedestrians. It further replaces language requiring the driver to yield when a pedestrian is in the driver’s lane with language requiring the driver to stop

and remain stopped when the pedestrian is in the driver's lane or a lane "adjacent to the lane in which the driver's vehicle is traveling." The bill also emphasizes the need to stop and remain stopped in both marked and unmarked crosswalks.

SB 387 – This bill amends ORS 811.275, specifying who has legal right of way at uncontrolled T intersections. Specifically, a person commits the offense of failure to yield the right of way at an uncontrolled T intersection if the person is operating a motor vehicle on a highway that ends at an uncontrolled T intersection and the person does not yield the right of way to any driver who is on the highway at the top of the T intersection. Failure to yield at an uncontrolled T intersection is a Class B traffic violation.

SB 946 – This bill amends ORS 807.122, removing passenger restrictions if a parent or stepparent of the provisional driver is in vehicle, provided that parent or stepparent has valid driving privileges.

If you have questions, call DMV Program Services, 503-945-5090.



FOUR-YEAR INITIAL REGISTRATION – PHASE 2 ● HB 2132 was passed by the **2001** Oregon Legislature. It specified that new vehicles with a Manufacturer's Certificate of Origin (MCO) being registered as passenger, light trailer, motorcycle, or moped will receive an initial 4-year registration (does not apply to hybrid or electric motorcycles). After the initial 4-year registration period, the renewal will revert to a 2-year registration period for these vehicle types.

When 4-year registration was initially implemented in 2002, passenger vehicles registered in Clackamas, Columbia, Multnomah, Washington, or Yamhill (DEQ) counties were not subject to the changes. These counties received an exception until January 1, 2004 and new passenger vehicles registered in those counties continued to receive 2-year initial registration. **Effective January 1, 2004**, the exception will no longer apply and 4-year initial registration of new (subject) vehicles will be applied statewide.

For additional information call (503) 945-5000 or (503) 299-9999 (Portland Metro Area), or visit the DMV website at www.oregondmv.com.



STICKER SCRAPING BY DEALERS/TOWERS ● As a result of HB 2388, effective January 1, 2004, all licensed vehicle dealers and towers will be required to remove the registration year stickers from both registration plates of Oregon passenger vehicles they sell when they are not also submitting title documents to DMV on behalf of the customer or selling the vehicle to another licensed dealer.

Based on this law, DMV has created a new 10-day trip permit (form 307) for use specifically on passenger vehicles where the stickers have been scraped. Dealers and towers may issue up to two

10-day trip permits per vehicle if the registration stickers have been removed and the customer will be submitting their own paperwork to DMV.

For additional information, please call (503) 945-5000 or (503) 299-9999 (Portland Metro Area), or visit the DMV website at <http://www.oregondmv.com>.



ANTIQUÉ AND SPECIAL INTEREST VEHICLES ● As a result of HB 2573, effective January 1, 2004, certain *non-motorized* vehicles will be able to receive permanent registration as an antique or special interest vehicle upon request.

Beginning January 1st, DMV will begin issuing antique and special interest registration plates and/or stickers to *qualifying* travel trailers, campers, special use trailers, heavy trailers and light trailers. All previous restrictions on the use of antique and special interest vehicles still apply.

For additional information, please call (503) 945-5000 or (503) 299-9999 (Portland Metro Area), or visit the DMV website at <http://www.oregondmv.com>.



HARDSHIP PERMITS FOR FAILURE TO APPEAR AND FAILURE TO COMPLY SUSPENSIONS ● As a result of HB 2263, effective January 1, 2004, Oregon DMV will no longer issue hardship permits for failure to appear or failure to comply suspensions.

Hardship permits issued prior to January 1, 2004, for failure to appear or failure to comply suspensions are not affected by this legislation. If there is a change to the restrictions of the hardship permit on or after January 1, 2004, (new job, new address, etc.) a revised hardship permit may be issued, only if the person had their hardship permit prior to January 1, 2004.

If a person has a hardship permit for a suspension *other than* a failure to appear or failure to comply suspension, and they get a failure to appear or failure to comply suspension on or after January 1, 2004, their hardship permit will be invalid until they provide a clearance for the failure to appear or failure to comply suspension and pay a reinstatement fee.

For additional information, please call (503) 945-5000 or (503) 299-9999 (Portland Metro Area), or visit the DMV website at <http://www.odot.state.or.us/dmv>.



NEW eGOVERNMENT APPLICATIONS ● Beginning December 29, 2003 eligible Deschutes County vehicle owners will be notified of the availability of two new DMV online applications for Vehicle Registration Renewal and Change of Address. The notification will be in the form of an insert provided with their registration renewal notice beginning with vehicles with February expiration dates. The new services are located on DMV's Internet website www.oregondmv.com/online. Customers will be able to access these services 24 hours a day, 7 days a week.

Although notification of the new applications will initially be made only to Deschutes County, any eligible customer that locates the services on our website will be able to use them. Eligible customers statewide will be notified of the availability of these services (by the same insert included with their renewal reminder notices) beginning approximately 30-60 days after the initial phase to Deschutes County. Customers with vehicles subject to DEQ are not eligible to renew online.

Customers renewing a vehicle registration online have the option to print a **Receipt of Payment** at the end of the transaction. The receipt includes the transmission date, new expiration date, vehicle information, renewal option selected and payment information. Customers who have completed a Change of Address have the option to print an Online Change of Address Receipt. The receipt includes the transmission date and the new address.

Customers who request a vehicle record and have renewed their vehicle online may present a document to the court titled Internet Vehicle Registration Renewal Record. The Internet Vehicle Registration Renewal Record displays the same vehicle record information as provided on the current vehicle record. If the vehicle record requested is a certified copy, DMV's certification will be located on the reverse side of the document. It will be signed and dated by the DMV representative as occurs today.

If a court needs to contact Records Services in reference to the new Internet Vehicle Registration Renewal Record, or has any further questions call (503) 945-5426.



NEW SSN REQUIREMENT FOR LICENSES AND PERMITS ● House Bill 2783 requires DMV to collect Social Security Numbers (SSNs) from applicants for all original, renewal and replacement driver licenses or instruction permits starting January 1, 2004. The change brings Oregon into compliance with the Federal Welfare Reform Act. The act includes the requirement that each state collect the SSNs of all drivers to assist in the enforcement of child support laws.

All persons applying for a license or permit who have been issued an SSN by the United States Social Security Administration will be required to provide it to DMV. Persons who have never been issued an SSN may sign a *Statement of No Social Security Number* form. The new law means that persons who refuse to provide their SSN or sign the statement will not be issued a license or permit.

Oregon is one of the last states to begin the collection of SSNs for all drivers. Previously, DMV has been collecting SSNs only for commercial drivers. The SSN will not be displayed on the license or permit or released on DMV records. Access to SSNs is allowed only to qualified government agencies.

If you have questions, contact DMV Driver Programs at (503) 945-5090.



EMPLOYER ADDRESS ON MOTOR VEHICLE RECORDS ● SB 213, enacted by the 2003 Oregon Legislature, expands the list of public employees who are eligible to use their employment address on DMV records, rather than a residence address, to include employees of the Oregon Youth Authority, District Attorneys and Deputy District Attorneys. SB 213 is effective January 1, 2004.

Employees of eligible agencies will need to complete and submit DMV form 735-6438A *Request for Police or Public Agency Address on DMV Records*. To obtain copies of this form for your agency, or for additional information, please call Glenda Kuenzi, DMV Records Policy Unit at (503) 945-5511.



OREGON VEHICLE CODE 2003-2004 ● DMV will soon begin the process of publishing the new Oregon Vehicle Code book. The books are expected to be available for purchase sometime in May, 2004. They will be later than usual this year due to the length of the 2003 legislative session, and the resulting delay in completion of codification and printing of the Oregon Revised Statutes. The charge for the books is \$5 per copy, which covers the cost of compiling, publishing, and distributing the books.

Format - The books are expected to be approximately 5 ½ by 8 ½ inches in size, and will continue to be available in both a bound and loose-leaf version. There will be a limited number of loose-leaf (notebook style) books available. The loose-leaf format requires a three ring binder, which is **not** provided by DMV. Requests for loose-leaf books will be filled on a first-come first-served basis until the supply has been exhausted. If there are no loose-leaf books available, requests will be filled with the bound version of the book.

To purchase copies of the book, send your written request, with payment, to:

DMV - Record Services
1905 Lana Ave NE
Salem OR 97314

To ensure that you receive the correct publication, please be sure to state that you are requesting the 2003 – 2004 Oregon Vehicle Code. Also, be sure to include the complete name and address where you want the books shipped. If the books need to come to a particular person's attention, please include that information in your request. Please state the number of books you are requesting, as well as the format (see above). It is also a good idea to include a phone number and the name of the person to be contacted in case there are any questions about your request.

You must send payment with your request, as DMV is unable to process requests without proper payment. If you have any questions, please contact DMV Customer Assistance at (503) 945-5000 or (503) 299-9999 (Portland Metro Area).

NEW OREGON DRIVER LICENSE AND IDENTIFICATION CARD MAKE DEBUT

Oregonians get a new look — on their driver license, instruction permit or identification card.

DMV introduced the card on November 18, 2003 and plans to have the new equipment installed in field offices statewide by the end of February of 2004. Oregonians holding current licenses or identification cards do not need to replace their card until their next scheduled renewal. Conversion to the new-style license will be completed in 2012.

These new cards take advantage of the latest security and fraud-prevention technologies. DMV selected the security features with the participation of Oregon law enforcement, other state and local government agencies, retailers and the supplier, Digimarc ID Systems Inc.

The new features include:

- Tamper-resistant laminate printed with “Oregon” that varies in color depending on the viewing angle and glows under ultraviolet light.
- Card material is more durable and tamper resistant. Three layer construction which warps when heated.
- Redundant data. Cardholder’s name appears twice.
- Small “ghost image” of cardholder’s photo under the variable data.
- Overlapping type and graphics, including an image of the Capitol.
- State of Oregon seal overlapping the cardholder’s photo.
- Gradient color bar containing fine-line patterns and a very subtle shift in color.
- A 1 D Bar-code and a 2 D Bar-code on the back of the card. The 1 D Bar-code contains customer number and date of birth and the 2 D Bar-code contains all of the customer

- data from the front of the card, except the photo.
- Digitized signature.



The over-21 driver’s license photo is on the left.



A minor’s driver license photo is on the right and includes a red border.

The digitized signature is a significant change. Customers will sign an electronic signature pad rather than the card itself. This will record their signature before printing and lamination, protecting the signature from wearing off.

Cards held by minors will bear age notices for alcohol and tobacco vendors. The notices, printed in a red border around the bearer’s photo, will state, “Under 18 until (date)” and “Under 21 until (date).” In addition,

the minor's photo will be placed on the right side of the card, instead of on the left side.

For additional information, please visit our website at: www.oregondmv.com.