Chapter 486

1973 REPLACEMENT PART

Financial Responsibility Law

DEFINITIONS; GENERAL PROVISIONS

486.011 Definitions
486.021 Proof of future responsibility required following certain accidents
486.041 Exemption from giving proof of future responsibility
486.046 When future responsibility and suspension provisions apply to employer rather than driver
486.051 Powers and duties of division generally
486.054 Division to maintain employment and nonemployment operating records; contents of records
486.056 Operating record of drivers available to public
486.061 Admissibility of accident report and division's findings
486.066 Reviews and other actions not affected
486.068 Jurisdiction of courts
486.071 Repealer; interrelation with former responsibility Acts

ACCIDENT REPORTS; SECURITY DEPOSITS

486.106 Accident report required
486.111 Owner's duty to report accident
486.116 Additional reports
486.156 Return of deposit to depositor; disposition of unclaimed deposit

REVOCATION OF LICENSES AND REGISTRATION

486.211 Causes for revocation or suspension of license and vehicle registration
486.216 Application to nonresidents; reciprocity
486.221 Notification of suspension or revocation required; hearing; decision; judicial review
486.251 Suspension of license and registration following judgment; certification of judgment record
486.256 Return of license or registration to the division
486.261 Transfer of registration or vehicle during suspension
486.266 Notification of resident state when nonresident is judgment debtor
486.276 Effect of discharge in bankruptcy
486.281 When judgment deemed satisfied
486.291 Restoration of license and registration

PROOF OF FUTURE RESPONSIBILITY GENERALLY

486.411 Methods of proving future responsibility
486.416 Proof furnished for employe or relative
486.421 Substituting proof
486.426 Furnishing new proof when proof is inadequate
486.431 When filing of proof is waived

INSURANCE AS EVIDENCE OF RESPONSIBILITY

486.506 Contents of certificate of insurance; termination of insurance by subsequent filing
486.511 Vehicle coverage required in certificate
486.521 When certificate of carrier not authorized to do business in this state is acceptable
486.541 Contents of vehicle liability policy
486.546 Liabilities which need not be covered
486.551 When insurer's liability accrues; nonforfeiture provisions
486.556 General provisions governing liability policies
486.561 Insurer's right to provide for reimbursement and proration
486.564 Insurer's right to settle claims
486.566 Excess coverage permitted; combining policies to meet requirements
486.570 Self-insurance as proof of future responsibility
486.575 Cancellation of self-insurance

BOND OR STATE TREASURER'S CERTIFICATE AS PROOF

486.606 Bond as proof of future responsibility
486.611 Lien on land of sureties
486.616 Action on bond
486.621 Treasurer's certificate as proof of future responsibility
486.626 Action against deposit

PENALTIES

486.991 Penalties

CROSS REFERENCES

Automobile insurance required, 743.786 to 743.930

Deposit of funds in Motor Vehicle Account, 481.950

Juvenile court, handling of motor vehicle offenses by, 419.537 to 419.541

486.051

Rules and regulations of state agencies, Ch. 183

486.106

Accident reports required under Motor Vehicle Traffic Act, 483.606, 483.608

Snowmobile accident reports required, 483.745

REVOCATION OF LICENSES AND REGISTRATION

Revocation or suspension of driver's or chauffeur's license, no driving of motor vehicle during, 482.650

Revocation or suspension of license, 482.430 to 482.530

486.211

False statements regarding interest in motor vehicles, criminal penalty, 481.990

Unauthorized use of motor vehicle, 164.135

486.216

Procedure where driver convicted in one state and licensed in another, 482.460

486.506

Automobile insurance required, 743.930

Insurance required of motor carriers, 767.195 to 767.215

Insurance required of vehicles used to transport workers, 658.415

DEFINITIONS; GENERAL PROVISIONS

486.005 [Amended by 1955 c.287 §32; repealed by 1955 c.429 §51]

486.010 [Repealed by 1955 c.429 §51]

486.011 Definitions. As used in this chapter, except when the context clearly indicates a different meaning:

(1) "Division" means the Motor Vehicles Division of the Department of Transportation.

(2) "Driver" means every person, including a nonresident, who drives or is in actual physical control of a vehicle.

(3) "Judgment" means any judgment which has become final by expiration, without appeal, of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action arising out of the ownership, operation, maintenance or use of any vehicle of a type subject to registration under the laws of this state, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damages.

(4) "Highway" means every public way, thoroughfare and place, including bridges, viaducts and other structures within the boundaries of this state, used or intended for the use of the general public for vehicles.

(5) "License" means any operator's or chauffeur's license or any other license or permit to operate a motor vehicle issued under the laws of this state including:

(a) Any temporary license or instruction permit.

(b) The privilege of any person to drive a motor vehicle whether or not such person holds a valid license.

(c) Any nonresident's operating privilege.

(6) "Owner" means the person having all the incidents of ownership in a vehicle or where the incidents of ownership are in different persons, the person, other than a security interest holder or lessor, entitled to the possession of a vehicle under a security agreement, or a lease for a term of 10 or more successive days.

(7) "Future responsibility" means the ability to respond in damages for liability, on account of accidents occurring subsequent to the effective date of the proof thereof arising out of the ownership, operation, maintenance or use of a vehicle in the amount of:

(a) $10,000 because of bodily injury to or death of one person in any one accident;

(b) Subject to that limit for one person, $20,000 because of bodily injury to or death of two or more persons in any one accident; and

(c) $5,000 because of injury to or destruction of the property of others in any one accident.

(8) "Registration" means the registration certificate and plates issued under the laws of this state pertaining to the registration of vehicles.

(9) "Security interest" means an interest in a vehicle reserved or created by agreement and which secures payment or performance of an obligation as more particularly defined by subsection (37) of ORS 71.2010.

(10) "Vehicle" means every trailer or semitrailer, and every device which is self-propelled or propelled by electric power from overhead trolley wires, but not operated upon rails.

[1955 c.429 §2; 1965 c.343 §19; 1967 c.143 §1; 1971 c.742 §1]

486.015 [Repealed by 1955 c.429 §51]

486.020 [Repealed by 1955 c.429 §51]

486.021 Proof of future responsibility required following certain accidents. Following notice to the division of an accident originating from the operation of a vehicle upon any highway within this state which has resulted in damage to the property of any one person in excess of $200 or injury or death to person, the driver and owner of a vehicle which is in any manner involved shall except as otherwise provided by this chapter within 60 days file with the division and thereafter maintain for a period of five years proof of future responsibility.
[1955 c.429 §6; 1959 c.439 §1; 1963 c.430 §1; 1965 c.325 §3; 1971 c.606 §2; 1971 c.742 §2]

486.025 [Repealed by 1955 c.429 §51]

486.030 [Repealed by 1955 c.429 §51]

486.031 [1955 c.429 §13; 1957 c.257 §1; 1959 c.439 §2; 1963 c.430 §2; repealed by 1971 c.742 §8]

486.035 [Repealed by 1955 c.429 §51]

486.040 [Repealed by 1955 c.429 §51]

486.041 Exemption from giving proof of future responsibility. Both the driver and the owner are exempt from the requirement of this chapter that proof of future responsibility be given if the person claiming exemption furnishes to the division proof that:

(1) At the time of the accident the driver was operating a vehicle owned by or leased to and operated under the direction of the United States of America, this state or any municipality or subdivision thereof;

(2) At the time of the accident the vehicle was lawfully parked;

(3) Such liability as may arise from the driver's operation of the vehicle involved in the accident was covered by some form of liability insurance or bond which complies with the requirements of this chapter;

(4) The owner of the vehicle involved in the accident was a self-insurer under the provisions of this chapter;

(5) The vehicle involved in the accident was being operated under a permit issued by the Public Utility Commissioner of Oregon; or

(6) At the time of the accident his vehicle was being operated without his permission, expressed or implied, or was parked by a person who had been operating such vehicle without his permission unless the vehicle at the time of its taking had been left unattended in a condition prohibited by a regulation or ordinance designed to prevent the operation of vehicles by unauthorized persons.
[1955 c.429 §18; 1963 c.430 §3]

486.045 [Repealed by 1955 c.429 §51]

486.046 When future responsibility and suspension provisions apply to employer rather than driver. If the driver at the time of an accident was driving, with the permission of his employer, a vehicle owned, operated or leased by his employer, the proof of future responsibility and suspension provisions of this chapter shall apply to the employer and to the vehicles owned by him or registered under his name, and shall not apply to such driver.
[1955 c.429 §12; 1971 c.742 §3]

486.050 [Repealed by 1955 c.429 §51]

486.051 Powers and duties of division generally. The division shall:

(1) Administer and enforce the provisions of this chapter and shall make rules and regulations necessary to carry out the purpose and intent hereof; and

(2) Prescribe and provide suitable forms for the administration and enforcement of this chapter.
[1955 c.429 §47]

486.054 Division to maintain employment and unemployment operating records; contents of records. The division shall maintain a two-part operating record of each person subject to this chapter. The employment driving record of such person shall include all motor vehicle accidents in which the person is involved and all convictions of the person for violation of the motor vehicle laws, except convictions of offenses described in ORS 482.430, while the person is driving under circumstances requiring him to be licensed as a chauffeur or while driving an authorized emergency vehicle as defined in ORS 483.002. The nonemployment driving record of such person shall include the person's motor vehicle accidents and convictions for violation of the motor vehicle laws other than those included in the employment driving record.
[1973 c.113 §4]

486.055 [Repealed by 1955 c.429 §51]

486.056 Operating record of drivers available to public. (1) The division shall upon request furnish any person certified abstracts of the employment driving record and the nonemployment driving record of any person subject to this chapter. Except for convictions for violations of the motor vehicle laws occurring more than five years

immediately preceding such request, the abstract of each driving record shall include the information required to be kept in that driving record by ORS 486.054. If an abstract of the employment driving record is not specifically requested, the division shall furnish only an abstract of the nonemployment driving record.

(2) The division shall collect for each abstract the sum of $2.50.

[1955 c.429 §48; 1959 c.439 §3; 1973 c.113 §5; 1973 c.156 §1]

486.060 [Repealed by 1955 c.429 §51]

486.061 Admissibility of accident report and division's findings. The report required following an accident, the action taken by the division under this chapter, the findings, if any, of the division upon which such action is based, and the deposit of security shall not be referred to in any way or admitted into evidence or be any evidence of the negligence or due care of any party at the trial of any action at law to recover damages.

[1955 c.429 §49]

486.065 [Repealed by 1955 c.429 §51]

486.066 Reviews and other actions not affected. Nothing in this chapter is intended to prevent a review or other action permitted by the Constitution and laws of this state by a court of competent jurisdiction with reference to any order or action of the division under this chapter.

[1955 c.429 §50]

486.068 Jurisdiction of courts. All circuit courts, police judges or recorders of any city or town or justices of the peace or district judges of the county shall have concurrent jurisdiction of all violations of this chapter committed within their respective city, town, county or district.

[1959 c.439 §10]

Note: ORS 486.068 was not added to and made a part of ORS chapter 486 by legislative action. The Legislative Counsel has made no substitution pursuant to ORS 173.160 for the words "this chapter" as they appeared in 1959 c.439 §10.

486.070 [Repealed by 1955 c.429 §51]

486.071 Repealer; interrelation with former responsibility Acts. Chapter 486 of the 1953 edition of the Oregon Revised Statutes is repealed, except with respect to accidents or judgment arising therefrom or any violation of the motor vehicle laws of this state occurring prior to August 3, 1955. All deposits, policies of insurance and certificates therefor and other proof of financial responsibility or future responsibility held by the division or by the State Treasurer, and all cancellations, revocations and suspensions made by the division pursuant to chapter 434, Oregon Laws 1935, as amended, or pursuant to the provisions of ORS 486.005 to 486.990 [1953 edition] shall remain in full force and effect, subject to the provisions of this chapter.

[1955 c.429 §51]

ACCIDENT REPORTS; SECURITY DEPOSITS

486.105 [Repealed by 1955 c.429 §51]

486.106 Accident report required. (1) The driver of a vehicle which is in any manner involved in an accident upon any highway within this state, which has resulted in damage to the property of any one person in excess of $200 or in bodily injury to or death of any person, shall, within 72 hours after such accident, report it to the division on a form furnished by it.

(2) The form of accident report required under subsection (1) of this section shall contain information sufficient to enable the division to determine whether the filing of proof of future responsibility under this chapter is inapplicable by reason of the existence of some form of liability insurance which complies with the requirements of this chapter.

(3) The division may rely upon the accuracy of the information in a required report of an accident as to the existence of insurance unless and until the division has reason to believe that the information is erroneous.

[1955 c.429 §3; 1959 c.439 §4; 1963 c.430 §4; 1971 c.606 §3; 1971 c.742 §4]

486.110 [Repealed by 1955 c.429 §51]

486.111 Owner's duty to report accident. If any driver not the owner of the vehicle involved in the accident does not make the report required under ORS 486.106, the owner shall, as soon as he learns of the accident, make the report.

[1955 c.429 §4]

486.115 [Repealed by 1955 c.429 §51]

486.116 Additional reports. The driver and the owner shall make such other and additional reports as the division may require.

[1955 c.429 §5]

486.120 [Repealed by 1955 c.429 §51]

486.125 [Repealed by 1955 c.429 §51]

486.130 [Repealed by 1955 c.429 §51]

486.131 [1955 c.429 §7; 1965 c.325 §4; 1971 c.606 §4; repealed by 1971 c.742 §8]

486.135 [Repealed by 1955 c.429 §51]

486.136 [1955 c.429 §8; 1959 c.439 §5; 1967 c.143 §2; repealed by 1971 c.742 §8]

486.140 [Repealed by 1955 c.429 §51]

486.141 [1955 c.429 §9; repealed by 1971 c.742 §8]

486.145 [Repealed by 1955 c.429 §51]

486.146 [1955 c.429 §10; 1959 c.439 §6; repealed by 1971 c.742 §8]

486.150 [Repealed by 1955 c.429 §51]

486.155 [Repealed by 1955 c.429 §51]

486.156 Return of deposit to depositor; disposition of unclaimed deposit. (1) Any money presently held by the State Treasurer which is intended to be applied to the payment of final judgments rendered against a driver or owner who has deposited such money with the state, or to be applied to any settlement agreement covering any claim against a driver or owner who has deposited such money with the state shall be returned to the person making the deposit without unnecessary delay.

(2) Any deposit the State Treasurer is unable to return pursuant to subsection (1) of this section shall be presumed abandoned and subject to ORS 98.302 to 98.436, the Uniform Disposition of Unclaimed Property Act, if the deposit has remained unclaimed for more than seven years after July 1, 1971. [1955 c.429 §11; 1965 c.257 §2; 1967 c.104 §1; 1971 c.742 §5]

REVOCATION OF LICENSES AND REGISTRATION

486.205 [Repealed by 1955 c.429 §51]

486.210 [Repealed by 1955 c.429 §51]

486.211 Causes for revocation or suspension of license and vehicle registration. Except as otherwise provided in ORS 482.820, the division shall revoke or suspend the license and the vehicle registration for all vehicles of any person who:

(1) Fails to make the reports to the division as required of him by this chapter.

(2) Fails to pay to the division the amount of security deposit required of him under this chapter within 10 days after notice to do so.

(3) Fails to file with the division proof of future responsibility when such proof is required of him by this chapter.

(4) Has been convicted in any municipal, justice, county, district or circuit court of this state, or by a court of competent jurisdiction of any state, of one of the following offenses or has forfeited bail on account of one of such offenses:

(a) Manslaughter or criminally negligent homicide resulting from the operation of a vehicle.

(b) Perjury or the making of a false affidavit to the division under any law of this state requiring the registration of vehicles or regulating their operation on highways.

(c) Any crime punishable as a felony in the commission of which a vehicle is used.

(d) Three charges of reckless driving all within the preceding 12 months.

(e) Failing to stop and disclose his identity at the scene of an accident resulting in the death of or injury to another person.

(f) Driving any vehicle upon any highway while under the influence of narcotic drugs, dangerous drugs or intoxicating liquor.

(g) Unauthorized use of a vehicle.

(h) Attempting to flee or elude a traffic or police officer, as prohibited by ORS 483.049.

(5) Fails to satisfy a judgment rendered against him within 60 days after its entry. [1955 c.429 §37; 1957 c.417 §2; 1959 c.439 §7; 1961 c.184 §1; 1963 c.484 §9; 1963 c.510 §5; 1969 c.696 §4; 1971 c.742 §6; 1971 c.743 §396]

486.215 [Repealed by 1955 c.429 §51]

486.216 Application to nonresidents; reciprocity. (1) As used in this section, "state" includes any state, territory or possession of the United States, the District of Columbia or a province of Canada.

(2) When the license of a nonresident is revoked or suspended under the provisions of this chapter, the division shall transmit a copy of the record of such action to the official in charge of the issuance of licenses and registration certificates in the state in which such nonresident resides, if the law of such other state provides for action in relation thereto similar to that provided in this section.

(3) The division shall suspend or revoke the license of any resident of this state and the registration of any vehicle owned by him upon receiving notice from another state

that such person's license and driving privilege in that state have been suspended or revoked.

(4) The revocation or suspension under subsection (3) of this section shall continue until such resident of this state furnishes evidence:

(a) Of his compliance with the law of such other state and the restoration of his license and driving privilege in that state and furnishes proof of future responsibility with the division; or

(b) That the revocation or suspension in the other state was not under circumstances which would require the division to suspend or revoke the license and registration of such resident under the provisions of this chapter.

[1955 c.429 §40; 1959 c.439 §8; 1963 c.484 §10; 1965 c.33 §1]

486.220 [Repealed by 1955 c.429 §51]

486.221 Notification of suspension or revocation required; hearing; decision; judicial review. (1) Whenever the division suspends or revokes the license and vehicle registration of any person for any reason set forth in ORS 486.211, the division shall immediately notify the licensee and registrant and afford him an opportunity of a hearing before a representative of the division in the county wherein the licensee resides. The hearing shall be conducted as a contested case in accordance with ORS 183.310 to 183.500. Upon such hearing the division either shall rescind the order of suspension, or, good cause appearing therefor, may continue, modify or extend such a suspension or revocation of the license and the vehicle registration or revoke or suspend such license or vehicle registration.

(2) Judicial review of orders denying, suspending or revoking a license or vehicle suspension under ORS 486.211 shall be as provided in ORS 183.310 to 183.500.

[1971 c.742 §6b]

486.225 [Repealed by 1955 c.429 §51]

486.230 [Repealed by 1955 c.429 §51]

486.235 [Repealed by 1955 c.429 §51]

486.240 [Repealed by 1955 c.429 §51]

486.245 [Repealed by 1955 c.429 §51]

486.250 [Repealed by 1955 c.429 §51]

486.251 Suspension of license and registration following judgment; certification of judgment record. (1) Whenever any person fails within 60 days to satisfy a judgment rendered in a court of this state, the clerk of the court, or the judge if the court has no clerk, shall, immediately upon the written request of the judgment creditor or his attorney, forward to the division a certificate stating the judgment has not been satisfied together with a certified copy of the judgment, and the division shall forthwith suspend the license and registration and any nonresident's operating privilege of any person against whom such judgment was rendered.

(2) Except when a judgment certified to the division under subsection (1) of this section is satisfied because of a discharge in bankruptcy, the clerk of the court, or the judge if the court has no clerk, shall, after the judgment is satisfied and immediately upon the written request of the judgment debtor or his attorney, forward to the division a certificate stating the fact of satisfaction and describing the judgment and parties sufficiently for identification, and, subject to any other requirements of the law, the division shall restore the license, registration or privilege theretofore suspended.

[1955 c.429 §43; 1965 c.325 §1]

486.255 [Repealed by 1955 c.429 §51]

486.256 Return of license or registration to the division. Any person whose license or registration has been suspended, or whose policy of insurance or bond required under this chapter has been canceled or terminated, or who neglects to furnish other proof upon request of the division, shall immediately return his license and registration to the division. If any person fails to return to the division the license or registration, the division shall forthwith direct any peace officer to secure possession thereof and return it to the division.

[1955 c.429 §41]

486.260 [Repealed by 1955 c.429 §51]

486.261 Transfer of registration or vehicle during suspension. When an owner's registration has been suspended, such registration shall not be transferred nor shall the vehicle for which it was issued be registered in any other name until the division is satisfied that such transfer of registration is proposed in good faith and not for the purpose or with the effect of defeating the purposes of this chapter. Nothing in this section shall affect the rights of any security

interest holder or lessor of a vehicle registered in the name of another as owner who becomes subject to the provisions of this chapter.
[1955 c.429 §42; 1965 c.343 §20]

486.265 [Repealed by 1955 c.429 §51]

486.266 Notification of resident state when nonresident is judgment debtor. If the defendant named in any certified copy of a judgment reported to the division is a nonresident, the division shall transmit a certified copy of the judgment to the official in charge of the issuance of licenses and registrations of the state of which the defendant is a resident.
[1955 c.429 §44]

486.270 [Repealed by 1955 c.429 §51]

486.275 [Repealed by 1955 c.429 §51]

486.276 Effect of discharge in bankruptcy. A discharge in bankruptcy or a satisfaction of judgment based upon a discharge as provided by ORS 18.420 shall not relieve any person from any of the requirements of this chapter.
[1955 c.429 §45; 1963 c.430 §5; 1965 c.325 §2]

486.280 [Repealed by 1955 c.429 §51]

486.281 When judgment deemed satisfied. (1) Every judgment shall for the purpose of this chapter be deemed satisfied:

(a) When $10,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident.

(b) When, subject to the limit of $10,000 as to one person, the sum of $20,000 has been credited upon any judgment or judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident.

(c) When $5,000 has been credited upon any judgment or judgments rendered in excess of that amount for damage to or destruction of property of others as the result of any one accident.

(d) When the judgment creditor and the judgment debtor have mutually agreed upon a compromise settlement of the judgment.

(2) Payments made in settlement of any claims because of bodily injury, death or property damage arising from the accident shall be credited in reduction of the amounts provided for in subsection (1) of this section.
[1955 c.429 §46; 1967 c.143 §3]

486.285 [Repealed by 1955 c.429 §51]

486.290 [Repealed by 1955 c.429 §51]

486.291 Restoration of license and registration. Except as otherwise provided by ORS 482.820 and if not otherwise prohibited by the motor vehicle laws of this state, the privilege of operating a vehicle and the license evidencing such privilege and the registration of all vehicles which has been revoked or suspended pursuant to the provisions of this chapter shall be restored to the driver or to the owner if he:

(1) Makes the reports required by this chapter; and

(2) Files with the division and for a period of five years thereafter maintains proof of future responsibility with respect to all vehicles registered in his name as owner, or, if no vehicles are registered to him, then with respect to all vehicles operated by him; and

(3) With respect to a judgment rendered against him,

(a) Satisfied such judgment, or

(b) Has an insurer which has been found by the division to be obligated to pay such judgment; provided that there has been no final adjudication by a court of law or in equity that such insurer has no such obligation, or

(c) Gives evidence to the division that a period of five years has elapsed since the entry of such judgment; or

(d) Furnishes to the division the written consent of the judgment creditor on such forms as the division may prescribe that his license and registration may be restored for the period of time permitted by such consent, or

(e) Receives from the court which rendered such judgment an order permitting the payment thereof in instalments.
[1955 c.429 §38; 1957 c.257 §3; 1963 c.484 §11; 1971 c.742 §7]

486.295 [Repealed by 1955 c.429 §51]

486.300 [Repealed by 1955 c.429 §51]

486.301 [1955 c.429 §39; repealed by 1959 c.506 §3]

PROOF OF FUTURE RESPONSIBILITY GENERALLY

486.405 [Repealed by 1955 c.429 §51]

486.410 [Repealed by 1955 c.429 §51]

486.411 Methods of proving future responsibility. Proof of future responsibility may be given by filing with the division

for the benefit of the person required to furnish such proof:

(1) A certificate of insurance issued by an insurance carrier doing business in this state, showing that the insured has procured and that there is in effect a motor vehicle liability policy for the limits of future responsibility either (a) designating by explicit description or by appropriate reference all motor vehicles with respect to which coverage is granted thereby and insuring the named insured and all other persons using any such motor vehicle with his consent against loss from the liabilities imposed by law for damages arising out of the ownership, operation, use or maintenance of any such motor vehicle; or (b) insuring such person against such loss arising out of the use by him of any motor vehicle not owned by him;

(2) A bond conditioned for the paying in behalf of the principal, the limits of future responsibility;

(3) A certificate of the State Treasurer that such person has deposited with him the sum of $25,000 in cash or in securities such as may legally be purchased by fiduciaries or for trust funds of a market value of $25,000; or

(4) Evidence that such person holds a valid certificate of self-insurance issued by the division.
[1955 c.429 §14; 1967 c.143 §4]

486.415 [Repealed by 1955 c.429 §51]

486.416 Proof furnished for employe or relative. The owner of a motor vehicle may give proof of future responsibility on behalf of his employe or a member of his immediate family or household in lieu of the furnishing of proof by such person. The furnishing of such proof permits such person to operate only a motor vehicle covered by the proof, and the division shall indorse appropriate restrictions on the face of his license.
[1955 c.429 §15]

486.420 [Repealed by 1955 c.429 §51]

486.421 Substituting proof. At the request of a person who has filed proof of future responsibility, it shall be returned to him upon his substituting other adequate proof of future responsibility.
[1955 c.429 §16]

486.425 [Repealed by 1955 c.429 §51]

486.426 Furnishing new proof when proof is inadequate. Whenever any proof of future responsibility no longer meets the requirements of this chapter, the division shall require the furnishing of other proof meeting such requirements. If such proof is not so furnished the division shall suspend the license and registration or the nonresident's operating privilege of the person required to furnish it.
[1955 c.429 §17]

486.430 [Repealed by 1955 c.429 §51]

486.431 When filing of proof is waived. (1) Proof of future responsibility shall be returned to the person entitled thereto and the requirement of the filing thereof shall be waived:

(a) In the event of the death of the person on whose behalf such proof was filed;

(b) In the event the person surrenders his license and registration to the division; or

(c) At any time after five years from the date such proof was required when, during the one-year period preceding the request, the division has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license or registration of the person by or for whom such proof was furnished.

(2) The division shall not release or waive such proof if any action for damages which may result in a judgment is then pending, nor in the event any judgment is outstanding and unsatisfied. An affidavit of the applicant of the nonexistence of such facts is sufficient evidence thereof in the absence of evidence to the contrary in the records of the division.

(3) If the division has released or waived any proof upon behalf of a person who has surrendered his license and registration and such person thereafter applies for a license or registration, the application shall be refused unless the applicant reestablishes such proof for the remainder of such five-year period.
[1955 c.429 §19; 1961 c.222 §1]

486.435 [Repealed by 1955 c.429 §51]

486.440 [Repealed by 1955 c.429 §51]

INSURANCE AS EVIDENCE OF RESPONSIBILITY

486.505 [Repealed by 1955 c.429 §51]

486.506 Contents of certificate of insurance; termination of insurance by subsequent filing. (1) Every certificate of insurance shall:

(a) Be dated as of the date of the motor vehicle policy for which it is given.

(b) Contain the policy number.

(c) Describe all vehicles covered by the policy, unless such policy is issued with respect to all vehicles operated by the assured.

(2) The policy of insurance for which the certificate is given shall not be canceled or terminated except upon the giving of 10 days' prior written notice to the division.

(3) Notwithstanding the provisions of this section relating to notice of cancellation or termination, an insurance policy subsequently procured and certified to the division shall, on the date the certificate is filed with the division, terminate the insurance previously certified with respect to any operator or vehicle designated in both certificates.

[1955 c.429 §21; 1959 c.439 §9; 1961 c.544 §1]

486.510 [Repealed by 1955 c.429 §51]

486.511 Vehicle coverage required in certificate. (1) The division shall not accept any certificate or certificates unless all vehicles are covered that are registered in the name of or operated by the person furnishing such proof, except vehicles in storage, the current license plates and registration cards for which have been surrendered to the division.

(2) A licensee who causes a certificate or certificates of insurance to be tendered as proof of financial responsibility shall file with the division a statement that the certificate or certificates cover all vehicles registered in his name. The division may rely upon the accuracy of the information in a statement as to the extent of the coverage unless and until the division has reason to believe that the information is erroneous.

[1955 c.429 §22; 1957 c.257 §4; 1967 c.464 §3]

486.515 [Repealed by 1955 c.429 §51]

486.520 [Repealed by 1955 c.429 §51]

486.521 When certificate of carrier not authorized to do business in this state is acceptable. (1) When furnished with respect to a nonresident motorist, the bond or certificate of insurance of a surety company or an insurance company which is not authorized to do business in Oregon shall not be accepted as proof of future responsibility unless such company:

(a) Executes and delivers to the division a power of attorney authorizing it to accept service on its behalf of service of process in any action arising out of a vehicle accident in this state involving its principal or insured; and

(b) Executes and delivers to the division an agreement in writing that such bond or policy shall be deemed to conform to the laws of this state relating to such bond or insurance policy.

(2) If any insurance company or surety company not authorized to transact business in this state which has qualified to furnish proof of future responsibility, defaults in any of its undertakings or agreements, the division shall not thereafter accept as proof any certificate of such carrier whether theretofore filed or thereafter tendered as proof, so long as such default continues.

[1955 c.429 §20; 1961 c.28 §1]

486.525 [Repealed by 1955 c.429 §51]

486.530 [Repealed by 1955 c.429 §51]

486.535 [Repealed by 1955 c.429 §51]

486.540 [Repealed by 1955 c.429 §51]

486.541 Contents of vehicle liability policy. Every vehicle liability policy for which a certificate of insurance is given to prove future responsibility shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged therefor, the policy period, and the limits of liability, and shall contain an agreement or indorsement which provides that the insurance is provided thereunder in accordance with the coverage defined in this chapter as respects bodily injury and death or property damage, or both, and is subject to all the provisions of this chapter.

[1955 c.429 §23]

486.545 [Repealed by 1955 c.429 §51]

486.546 Liabilities which need not be covered. The vehicle liability policy need not insure any liability under any workmen's compensation law; nor any liability on account of bodily injury to or death of an employe of the insured while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance or repair of a vehicle; nor any

liability for damage to property owned by, rented to, in charge of, or transported by the insured.
[1955 c.429 §24]

486.550 [Repealed by 1955 c.429 §51]

486.551 When insurer's liability accrues; nonforfeiture provisions. The liability of an insurance carrier with respect to the insurance policy required by this chapter to prove future responsibility shall become absolute whenever injury or damage covered by the vehicle liability policy occurs. The policy may not be canceled or annulled as to such liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage. No statement made by the insured or on his behalf and in violation of the policy shall defeat or void the policy. The provisions of this section are not applicable to policies of vehicle liability insurance other than those required in connection with proof of future responsibility.
[1955 c.429 §28]

486.555 [Repealed by 1955 c.429 §51]

486.556 General provisions governing liability policies. Every vehicle liability policy shall be subject to the following provisions which need not be contained therein:

(1) The policy, the written application therefor, if any, and any rider or indorsement which does not conflict with the provisions of this chapter shall constitute the entire contract between the parties.

(2) The satisfaction by the insured of a judgment for injury or damage shall not be a condition precedent to the right or duty of the insurance carrier to make payment on account of such injury or damage.

(3) Any binder issued pending the issuance of a vehicle liability policy shall be deemed to fulfill the requirements for such a policy.
[1955 c.429 §25]

486.560 [Repealed by 1955 c.429 §51]

486.561 Insurer's right to provide for reimbursement and proration. Any vehicle liability policy may provide that the insured shall reimburse the insurance carrier for any payment the insurance carrier would not have been obligated to make under the terms of the policy except for the provisions of this chapter and it may further provide for the prorating of the insurance thereunder with other valid and collectible insurance.
[1955 c.429 §26]

486.564 Insurer's right to settle claims. The insurance carrier shall have the right to settle any claim covered by the policy, and if such settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in respect to a vehicle liability policy.
[1955 c.429 §27]

486.565 [Repealed by 1955 c.429 §51]

486.566 Excess coverage permitted; combining policies to meet requirements. Any policy which grants the coverage required for a vehicle liability policy may also grant any lawful coverage in excess of or in addition to the required coverage, and such excess or additional coverage shall not be subject to the provisions of this chapter. With respect to a policy which grants such excess or additional coverage the term "vehicle liability policy" shall apply only to that part of the coverage which is required by this chapter. The requirements for a vehicle liability policy may be fulfilled by the policies of one or more insurance carriers which policies together meet such requirements.
[1955 c.429 §29]

486.570 Self-insurance as proof of future responsibility. (1) The division shall issue a certificate of self-insurance upon the application of any person in whose name more than 25 vehicles are registered when:

(a) The division believes that the applicant is possessed and will continue to be possessed of the ability to pay and discharge judgments which might be obtained against him; or

(b) A person is duly qualified under the laws of the State of Oregon or under an ordinance of a city of this state to act as a self-insurer and is acting as such and files an application for a certificate of self-insurance.

(2) As a part of his application, each applicant must agree to pay the same amounts with respect to accident occurring while the certificate is in force that an insurer would be obligated to pay under the vehicle liability policy for which the certificate of insurance provided by this chapter may be given.
[1955 c.429 §34]

486.575 Cancellation of self-insurance. Upon not less than five days' notice and a hearing held pursuant to such notice, the

division may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay any judgment within 30 days after it has become final shall constitute a reasonable ground for such cancellation.
[1955 c.429 §35]

BOND OR STATE TREASURER'S CERTIFICATE AS PROOF

486.605 [Repealed by 1955 c.429 §51]

486.606 Bond as proof of future responsibility. The bond by which proof of future responsibility may be made must be approved by a judge of a court of record in this state and must contain a provision that it cannot be canceled except upon the giving of 10 days' prior written notice to the division. The surety thereon must be either a surety company or at least two persons who are residents of Oregon and who each own real property therein having together equities at least of the value of $25,000.
[1955 c.429 §30; 1967 c.143 §5]

486.610 [Repealed by 1955 c.429 §51]

486.611 Lien on land of sureties. Every bond given by personal sureties shall contain a schedule of the real property owned by each of said sureties. The State of Oregon shall have a lien upon the real property so scheduled, and such lien shall be perfected by the filing by the division of notice of such lien with the county clerk of the counties in which such real property is located. Such lien shall exist in favor of any holder of a judgment against the person who is principal on such bond, resulting from a cause of action which accrued after such bond was filed.
[1955 c.429 §31]

486.615 [Repealed by 1955 c.429 §51]

486.616 Action on bond. If a judgment covered by the conditions of a bond is rendered against the principal on the bond and is not satisfied within 60 days after it has become final, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action in the name of the state against any surety on the bond, including an action or proceeding to foreclose any lien that may exist upon the real estate of a surety.
[1955 c.429 §32]

486.620 [Repealed by 1955 c.429 §51]

486.621 Treasurer's certificate as proof of future responsibility. The State Treasurer shall give a certificate of deposit to the person who has deposited with him $25,000 in cash, or securities such as may legally be purchased by fiduciaries or for trust funds of a market value of $25,000. The State Treasurer shall not issue a certificate and the division shall not accept such certificate unless the deposit is accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where he resides.
[1955 c.429 §33; 1967 c.143 §6]

486.625 [Repealed by 1955 c.429 §51]

486.626 Action against deposit. A deposit of money or securities shall be held by the State Treasurer to satisfy, in accordance with this chapter, any execution on a judgment issued against the person making the deposit, resulting from a cause of action which accrued after such deposit was made. Money or securities so deposited shall not be subject to attachment or execution unless such attachment or execution arises out of a cause of action coming within the scope of this chapter.
[1955 c.429 §36]

PENALTIES

486.990 [Repealed by 1955 c.429 §51]

486.991 Penalties. (1) Violation of any provision of this chapter for which no penalty is otherwise provided is punishable, upon conviction, by a fine of not more than $500 or imprisonment in the county jail for not more than 90 days, or both.

(2) Violation of requirement of this chapter to make reports following an accident is punishable, upon conviction, by a fine not exceeding $100.

(3) Any person who gives information to any report required by this chapter, knowing or having reason to believe that such information is false, or who forges, or, without authority, signs any evidence of proof of financial responsibility, or who files or offers for filing any such evidence of proof, knowing or having reason to believe that it is forged or signed without authority, shall be fined not more than $1,000 or imprisoned in the county jail for not more than one year, or both.

(4) Any person wilfully failing to return the license or registration as required shall be fined not more than $500 or imprisoned in the county jail not to exceed 30 days, or both.

[1955 c.429 §52]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Thomas G. Clifford, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.

Done at Salem, Oregon,
on November 1, 1973.

Thomas G. Clifford
Legislative Counsel