TITLE 39

VEHICLES AND SMALL WATERCRAFT

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Chapter 481

1979 REPLACEMENT PART

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DEFINITIONS; GENERAL PROVISIONS

481.002 "Assembled vehicle" and "reconstructed vehicle" defined. (1) As used in this chapter, a vehicle that is built with components that are from different vehicles or that are specially constructed is:

(a) An "assembled vehicle" if:

(A) The vehicle does not qualify for a license under subsection (4) or (6) of ORS 481.205; and

(B) The vehicle does not otherwise qualify as a reconstructed vehicle.

(b) A "reconstructed vehicle" if the use of components to build the vehicle is consistent with a vehicle manufacturer's use of components for a vehicle of a single year, model and make.

(2) The provisions of this chapter that are specifically applicable to assembled vehicles or reconstructed vehicles are not applicable to:

(a) Vehicles rebuilt by a manufacturer; or

(b) Vehicles built in factories where the year, model and make are assigned at the factory. [1979 c.518 §4]

481.004 "Bicycle," "cycle," "moped" and "motorcycle" defined. (1) As used in subsection (2) of this section, "cycle" means any mechanical device, other than a farm tractor, designed for the transportation of persons on the ground on wheels that:

(a) Has a seat or saddle for use of the rider; and

(b) Is designed to travel with not more than three wheels in contact with the ground.

(2) As used in this chapter and in ORS chapters 482, 483, 486 and 487 and in ORS 743.800:

(a) "Bicycle" means a cycle propelled exclusively by human power with:

(A) Every wheel more than 14 inches in diameter; or

(B) With two tandem wheels either of which is more than 14 inches in diameter.

(b) "Moped" means a cycle equipped with foot pedals to permit muscular propulsion, an independent power source and a power drive system that functions directly or automatically only and does not require clutching or shifting by the operator after the drive system is engaged. "Moped" includes a cycle designed as a bicycle that is equipped with a power source that complies with this paragraph. The independent power source of a moped:

(A) If a combustion engine is used, has a piston or rotor displacement of 3.05 cubic inches or less or 50 cubic centimeters or less regardless of the number of chambers in the power source; and

(B) Is capable of propelling the moped, unassisted, at a speed of not more than 30 miles per hour on a level road surface.

(c) "Motorcycle" means any self-propelled cycle that is not a moped.

(3) Except where specific provisions are otherwise made, the provisions of this chapter and of ORS chapters 482, 483, 486 and 487 that are applicable to motor vehicles are also applicable to mopeds and motorcycles. [1979 c.871 §2]

481.005 "Body," "bus trailer" and "cab" defined. As used in this chapter, except where the context otherwise requires:

(1) "Body," with respect to vehicle structure, means that part of a vehicle supported by the chassis and used for carrying or retaining the load, not including the spare tire, but including all ordinary equipment or appliances appropriate to the type of body, such as stakes, curtains, hooks, skids, tailboard, chains, sides and roof.

(2) "Bus trailer" means any vehicle which would come within the definition of a "motor bus," in ORS 481.030, except for the fact that it has no motive power but is designed to be drawn by a motor vehicle.

(3) "Cab," with respect to vehicle structure, means the inclosure ahead of the body used as a shelter for the driver, and includes the driver's seat and doors, partly or fully inclosed. [Amended by 1965 c.389 §1; 1969 c.605 §20]

481.010 "Chassis," "combined weight" and "gross weight" defined. As used in this chapter, except where the context otherwise requires:

(1) "Chassis," with respect to vehicle structure, means the frame assembly, power plant and all appurtenances necessary for making a vehicle self-propelled, including front bumper, fenders, windshield, tire carrier and spare wheel, but not the spare tire.

(2) (a) "Combined weight" in the case of a vehicle other than a motor bus or bus trailer means the light weight of the vehicle plus the weight of the maximum load which the vehicle may carry but excluding loads carried

under the provisions of ORS 376.305 to 376.390 or 483.528 and also excluding loads consisting of towed motor vehicles or house trailers required to be registered under this chapter.

(b) "Combined weight" in the case of a motor bus or bus trailer means the light weight plus the product of multiplying the maximum seating capacity, including the driver's seat but excluding emergency seats, times 170 pounds if the vehicle has a separate compartment for transporting baggage or express, or times 150 pounds if the vehicle has no separate compartment for transporting baggage or express. If a bus or bus trailer has a seating capacity which is not arranged for separate or individual seats, 18 lineal inches shall be deemed the equivalent of a passenger seat.

(c) "Gross weight" means the light weight of the vehicle plus the weight of the maximum load which the vehicle may carry. [Amended by 1959 c.152 §1; 1963 c.405 §1; 1965 c.98 §1]

481.012 "Commercial vehicle" defined. As used in this chapter, unless the context requires otherwise, "commercial vehicle" means a vehicle which is used or maintained for the transportation of persons for hire, compensation or profit or which is designed, used or maintained primarily for the transportation of property. [1967 c.32 §2]

481.015 "Commission," "county highway," "dealer," "dealership," "director," "division" and "farm tractor" defined. As used in this chapter, except where the context otherwise requires:

(1) "Commission" means the Oregon Transportation Commission.

(2) "County highway" means every highway which is not a state highway.

(3) "Dealer" means any person who engages in buying, selling or exchanging, either outright or on conditional sale, bailment, lease, security interests, consignment or otherwise, motor vehicles, trailers or semitrailers (in his possession for sale or trade). "Dealer" does not include the registered, or legal owner as shown on a certificate of title duly registered in, or issued by, any jurisdiction; receiver, trustee, or personal representative, a public officer while performing his official duties or a real estate licensee representing a buyer or seller in a transaction involving a mobile home considered real property under ORS 308.875. A manufacturer who sells or trades motor vehicles, trailers and semitrailers that he has manufactured in Oregon shall not be considered a dealer unless such manufacturer obtains a dealer's license as authorized by ORS 481.312, except that a manufacturer who sells or trades campers, mobile homes, and travel trailers shall be considered a dealer, and shall be licensed as required by subsection (2) of ORS 481.312. Dealers shall be considered owners of such vehicles manufactured or dealt in by them, prior to delivery and sale thereof, and of all vehicles in their possession and operated or driven by them or their employes. The division shall determine whether or not an applicant for registration is a dealer.

(4) "Dealership" means the location from which a dealer buys, sells, trades, stores, takes on consignment, or in any other manner deals in new or used motor vehicles, trailers or semitrailers.

(5) "Director" means Director of Transportation.

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

(7) "Farm tractor" means any self-propelled vehicle designed primarily for use in agricultural operations for drawing or operating plows, mowing machines and other farm equipment or implements of husbandry.

(8) Nothing in subsection (3) of this section requires an insurance adjuster authorized to do business under ORS 744.505 or 744.515 to be licensed to sell vehicles for salvage. [Amended by 1955 c.287 §24; 1955 c.697 §1; 1957 c.365 §1; 1959 c.683 §29; 1965 c.398 §3; 1969 c.599 §22; 1969 c.605 §21; 1973 c.249 §40; 1977 c.674 §1; 1979 c.229 §1]

481.020 "Highway" defined. As used in this chapter, except where the context otherwise requires, "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.

481.021 "Camper," "motor home," "mobile construction trailer," "mobile home" and "travel trailer" defined. As used in this chapter and in the ad valorem tax laws of this state, except where the context otherwise requires:

(1) "Camper" means a structure containing a floor that:

(a) Is designed to be mounted upon a motor vehicle, and is not permanently attached thereto;

(b) Is designed to provide facilities for human habitation or for camping;

(c) Is six feet or more in overall length and five and one-half feet or more in height from floor to ceiling at any point; and

(d) Has no more than one axle designed to support a portion of the weight of the camper.

(2) "Motor home" means a motor vehicle that:

(a) Is originally designed, reconstructed, or permanently altered to provide facilities for human habitation; or

(b) Has a camper permanently attached to it.

(3) "Mobile home" (excluding a modular home, prefabricated home and tent trailer) means a trailer or structure that:

(a) Is designed to be transported or used upon the highways;

(b) Is capable of being used for human habitation or for business, commercial or office purposes;

(c) Is not a travel trailer; and

(d) Is not a mobile construction trailer.

(4) "Travel trailer" (including a tent trailer) means a trailer that:

(a) Is of a type designed to be used on the highways;

(b) Is capable of being used for human habitation;

(c) Is not more than eight feet wide and is six feet or more in height from floor to ceiling. Where a trailer telescopes for travel, or has expansion sides or "tip outs," for the purpose of determining the height, the size shall apply to the trailer as fully extended and for the purposes of determining the width, the size shall apply to the trailer in the usual travel position; and

(d) Except in the case of a tent trailer, has four permanent walls when it is in the usual travel position.

(5) "Mobile construction trailer" means a trailer that is used temporarily on a construction site and only for office purposes. [1969 c 605 §2 (enacted in lieu of 481 022); 1971 c.529 §1; 1979 c.767 §1]

481.022 [1959 c.683 §2; repealed by 1969 c.605 §1 (481 021 enacted in lieu of 481 022)]

481.023 "Implement of husbandry" defined. As used in this chapter, except where the context otherwise requires, "implement of husbandry" means every vehicle used exclusively in agricultural operations. "Implement of husbandry" does not include motor vehicles, semitrailers or trailers unless their design limits their use to agriculture. [1965 c.398 §2; 1977 c.362 §1]

481.025 "Light weight," "local authorities" and "manufacturer" defined. As used in this chapter, except where the context otherwise requires:

(1) "Light weight" means the weight of a vehicle when fully equipped for moving over the highways.

(2) "Local authorities" means the representatives of political subdivisions of the state, duly elected or appointed to administer the laws and ordinances.

(3) "Manufacturer" means any person engaged in the manufacture of new motor vehicles, trailers and semitrailers, or any of them, as a regular business. [Amended by 1955 c.697 §2, 1959 c.152 §2; 1965 c.343 §1]

481.030 "Motor bus" defined. As used in this chapter, except where the context otherwise requires, "motor bus" means every motor vehicle designed or used for carrying passengers and their personal baggage and express for compensation, except:

(1) Taxicabs.

(2) Vehicles commonly known and used as private passenger vehicles and not operated for compensation except in the transportation of students to or from school.

481.035 "Motor truck" defined. As used in this chapter, except where the context otherwise requires, "motor truck":

(1) Means every motor vehicle designed or used for carrying, conveying or moving over the highways of this state any freight, property, article or thing, and having a combined weight of vehicle and maximum load to be carried thereon of more than 8,000 pounds.

(2) Does not include any vehicle designed or used exclusively for carrying passengers, baggage and express.

(3) Includes farm tractors not otherwise exempt under paragraph (e) of subsection (2) of ORS 481.075 or within the classification of a fixed load vehicle under ORS 481.272. [Amended by 1953 c 380 §3; 1965 c.398 §4; 1974 s.s c.55 §1]

481.040 "Motor vehicle," "nonresident," "operator," "owner" and "pneumatic tire" defined. As used in this chapter, except where the context otherwise requires:

(1) "Motor vehicle" means every self-propelled vehicle and vehicle designed for self-propulsion except road rollers, farm tractors, traction engines and police ambulances.

(2) "Nonresident" means a resident of another state, country or territory.

(3) "Operator" means any person who is in actual physical control of a vehicle.

(4) "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.

(5) "Pneumatic tire" means any hollow tire made of elastic material which is inflated with compressed air. [Amended by 1957 c.184 §1; 1965 c.343 §2; 1977 c 31 §1; 1977 c.882 §1]

481.045 "Security agreement," "security interest" and "semitrailer" defined. As used in this chapter, except where the context otherwise requires:

(1) "Security agreement" means an agreement which reserves or creates a security interest.

(2) "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.

(3) "Semitrailer" means every vehicle without motive power (including pole or pipe dollies) which:

(a) Has a combined weight of vehicle and maximum load to be carried thereon of more than 8,000 pounds;

(b) Is designed for carrying property and for being drawn by a motor vehicle; and

(c) Is so constructed that some part of its weight and the weight of its load rests upon or is carried by another vehicle. [Amended by 1965 c.343 §3; 1977 c.362 §2; 1979 c.518 §5]

481.048 "Snowmobile" defined. As used in this chapter, except where the context otherwise requires, "snowmobile" means a self-propelled vehicle capable of traveling over snow or ice, which utilizes as its means of propulsion an endless belt tread, or cleats, or any combination of these or other similar means of contact with the surface upon which it is operated, that is steered wholly or in part by skis or sled-type runners and is not otherwise registered in this state. [1969 c.598 §2; 1971 c.618 §1]

481.050 "State," "state highway" and "taxicab" defined. As used in this chapter, except where the context otherwise requires:

(1) "State" includes the territories and the federal districts of the United States.

(2) "State highway" means any highway designated as such by the Department of Transportation or by law.

(3) "Taxicab" means any motor vehicle that:

(a) Is designed or constructed to accommodate and transport not more than five passengers, exclusive of the driver; and

(b) Is fitted with a taximeter or has some device, method or system to determine the passenger fare paid for distance traveled; and

(c) Is operated exclusively within the corporate limits of a city of this state and not more than three road miles beyond its limits.

481.055 "Tractor trailer" defined. As used in this chapter, except where the context otherwise requires, the term "tractor trailer" means any vehicle without motive power (except implements of husbandry), designed for carrying property and drawn by a farm tractor. [Amended by 1965 c.398 §5]

481.060 "Trailer" and "vehicle" defined. (1) As used in this chapter, except where the context otherwise requires, and except to the extent a different meaning is required by ORS 481.215, "trailer" means a mobile home, travel trailer, truck trailer or bus trailer.

(2) As used in ORS 481.070, 481.075, 481.110, 481.115, 481.117, 481.120, 481.125, 481.130, 481.150, 481.162, 481.165, 481.170, 481.177, 481.245, 481.305 to 481.340, 481.405 and 481.420, "trailer" also means a camper.

(3) As used in subsection (1) of ORS 481.075, ORS 481.107, 481.135, 481.145, 481.410, 481.413, 481.415, 481.420, 481.435, 481.957 and 481.990, "vehicle" also means a camper. [Amended by 1955 c.212 §1; 1959 c.110 §1; 1959 c.683 §3, 1969 c.605 §22; 1977 c 806 §7]

481.065 "Truck tractor" and "truck trailer" defined. As used in this chapter, except where the context otherwise requires:

(1) "Truck tractor" means any motor vehicle used or designed for use with a semitrailer for carrying, conveying or moving over the highways any freight, property, article or thing, and having a combined weight of vehicle and maximum load to be carried thereon of more than 8,000 pounds.

(2) "Truck trailer" means every vehicle without motive power (except a tractor trailer) which:

(a) Has a combined weight of vehicle and maximum load to be carried thereon of more than 8,000 pounds;

(b) Is designed for carrying property and for being drawn by a motor vehicle; and

(c) Is so constructed that no part of its weight rests upon the towing vehicle. [Amended by 1977 c.362 §3]

481.070 "Used vehicle" and "vehicle" defined; weights and measures. As used in this chapter, except where the context otherwise requires:

(1) "Used vehicle" means any motor vehicle, trailer or semitrailer which has been sold, bargained, exchanged, given away or has had its title transferred from the person who first took out title to it from the manufacturer or importer or the person's dealer or agent, and so used to have become what is commonly known as "second handed" within the ordinary meaning thereof.

(2) "Vehicle" means every mechanical device moving by any power over the highways of the state, except devices that:

(a) Move exclusively on stationary rail tracks;

(b) Are operated by electric energy transmitted through trolley poles from stationary trolley wires; or

(c) Are powered exclusively by human power.

(3) References to weights and measures refer to United States standards thereof. [Amended by 1979 c.871 §5]

481.075 Purposes and application of chapter; exclusions. (1) Those portions of ORS 308.865 relating to the duties of the division and the provisions of this chapter are an exercise of the police powers of this state, and the purpose, object and intent of said sections is to provide a comprehensive system for the regulation of all motor and other vehicles in this state.

(2) The provisions of this chapter requiring registration and licensing of vehicles do not apply to:

(a) United States government-owned and operated motor vehicles and trailers.

(b) Implements of husbandry, well-drilling machinery, fire wagons, fire engines, invalid chairs and baby buggies.

(c) Fixed load vehicles while operated within the immediate construction project, as described in the governmental agency contract, in the construction or reconstruction of state or county roads, highways or city streets. As used in this subsection, "fixed load vehicle" has the meaning given that term by subsection (2) of ORS 481.272, and includes vehicles enumerated in subsection (3) of ORS 481.272.

(d) Motor vehicles over 6,000 pounds gross weight, trailers and equipment owned, leased, contracted or requisitioned by the State Forester, State Board of Forestry, their contractors under ORS chapter 477, or the United States Government, while such vehicles, trailers and equipment are being used for the purposes of forest protection and fire suppression under ORS chapter 477 or a similar federal statute, including movement of the vehicles to and from the work area.

(e) Farm tractors and tractor trailers when the operation or movement of the vehicle upon the highways is incidental to its use in an agricultural operation.

(f) Snowmobiles, except as provided by ORS 481.770 to 481.800.

(g) Golf carts operated pursuant to ORS 487.910. "Golf cart" has the meaning given that term by ORS 487.910.

(h) Golf carts as defined in ORS 487.910 or similar vehicles having not less than three wheels in contact with the ground, an unladen weight less than 1,300 pounds and designed to be and is operated at not more than 15 miles an hour, when operated by a disabled person as defined in ORS 487.915. [Amended by 1957 c.483 §1; 1963 c.64 §1; 1965 c.253 §147; 1965 c.398 §6; 1967 c.488 §1; 1969 c.598 §3; 1969 c.605 §23; 1971 c.618 §2; 1975 c.271 §1; 1977 c.806 §8; 1977 c.885 §1; 1979 c.379 §5]

481.080 Applicability of chapter to foreign consuls. (1) This chapter shall not be construed to require the payment of motor vehicle registration fees by any professional

foreign consuls general, consuls and vice consuls, who are nationals of the foreign state or country appointing them, and who are assigned to foreign consulates in this state, if American professional consular officials who are citizens of the United States and residents of this state, and who exercise their official function in American consulates in such foreign countries, are granted reciprocal exemption.

(2) For the purpose of authorizing the operation over the highways of this state of any motor vehicle owned by a professional foreign consul and not used to carry persons or property for compensation, the division is authorized to furnish without cost to any professional foreign consul applying therefor, a registration card and registration number plates of a distinctive form to be determined by the division.

481.085 [Amended by 1959 c.683 §28; 1969 c.309 §8; repealed by 1971 c.734 §21]

481.090 Administrative facilities for enforcement of motor vehicle laws. The division shall purchase the necessary stationery, record books, number plates and postage, provide for the printing and all other necessary and incidental expenses, employ the necessary clerical assistance, and lease such real estate and buildings as the division deems necessary to carry out fully the objects and purposes of the motor vehicle laws which it is required to administer. The division is authorized and directed to pay any claims therefor in the manner provided by law out of the money received under the provisions of this chapter and chapter 482. The division may share space in any leased building with any other state officer, department, board or commission, for the conduct of the business of the state.

481.092 Hearings; judicial review of orders. (1) Where the division proposes to refuse to issue or renew a license, certificate or registration, opportunity for hearing shall be accorded as provided in ORS 183.310 to 183.500.

(2) Judicial review of orders under subsection (1) of this section shall be in accordance with ORS 183.310 to 183.500. [1971 c.734 §72]

481.095 Privilege of motorist to use highways. Subject to a compliance with the motor vehicle law of this state, owners and operators of motor vehicles are granted the privilege of using the highways of this state. [Amended by 1979 c.284 §156]

481.097 Permitting unlawful operation of vehicle which is not registered or licensed. (1) No person shall authorize or knowingly permit a motor vehicle which is owned by him or under his control and which is not registered or licensed as required by the provisions of this chapter to be driven by any person.

(2) A person who violates this section commits a Class B traffic infraction. [1975 c.451 §173b]

481.100 "Operation" or "movement" of vehicle. Towing, pushing or otherwise propelling a vehicle upon a highway when any part of the vehicle touches the highway, is considered the operation or movement of the vehicle on the highway within the provisions of this chapter. [1965 c.98 §3; 1969 c.605 §24]

REGISTRATION REQUIREMENTS

481.103 Notice of pending expiration of registration; exceptions; effect of lack of notice; records. (1) Before the expiration of the registration of any vehicle registered under the provisions of this chapter, the division shall notify the registered owner of the vehicle of the approaching expiration. Within 90 days of the expiration date, the notice shall be mailed to the owner of the vehicle at the address shown on the vehicle registration file.

(2) The division shall not be required to notify the registered owner of an approaching expiration if the division has reason to believe:

(a) The vehicle has been sold, wrecked or stolen;

(b) The registered owner is ineligible to renew the registration;

(c) There is a dispute with regard to the title of the vehicle; or

(d) The registered owner failed to notify the division of a change of address as required by ORS 481.107.

(3) Failure to receive notice of expiration from the division is not a defense to a charge of driving with an expired vehicle registration. However, the court may dismiss the charge if the owner registers the vehicle before the scheduled court appearance.

(4) The division is not required to maintain records of the preparation and mailing of the notices required by this section. [1977 c.459 §2]

481.105 Application for registration; agents to accept applications and fees. (1) Every owner of a motor vehicle, trailer or semitrailer, shall, before the vehicle is operated upon the highways, file an application for registration with the division. The application shall be accompanied by the prescribed fee. The division shall refuse to register or renew the registration of a vehicle until the fee due thereon has been paid.

(2) Except for any camper and travel trailer that is held by a dealer and that is not subject to a lien under ORS 481.490, every camper and travel trailer shall be currently registered with the division, whether or not such camper or travel trailer is used on the highways, and the number or identification plate assigned to it by the division shall be conspicuously displayed at all times on the rear of the vehicle. Campers and travel trailers as defined in ORS 481.021, regardless of weight, height, length or width, shall be registered as required by this chapter, but the use of any such camper or travel trailer on the highways is subject to all laws, rules and regulations governing the operation of vehicles on the highways of this state. Every person who owns a camper or travel trailer required by this subsection to be currently registered shall, for each camper or travel trailer the person owns, cause to be filed by mail or otherwise in the office of the division, on blanks furnished by the division, an application for registration. The application shall be accompanied by the fees prescribed by ORS 481.450 and 481.460.

(3) All mobile homes in this state on and after January 1, 1972, shall be registered by the division and issued a permanent identification plate. A new registration shall be made with each transfer of ownership; however, the identification plate shall remain the same. The identification plate shall be affixed to the mobile home in plain sight. The application for registration shall contain information as to the present and proposed location of the mobile home. The division shall notify the appropriate assessors of the present and proposed location.

(4) The application under subsection (1), (2) or (3) of this section shall be duly signed by the owner and shall contain:

(a) The true name and actual residence or business address of the owner; and

(b) A description of the vehicle, including the name of the make, the vehicle identification number and any other information required by the division.

(5) In any incorporated city the division may designate, for the convenience of the public, the chief of police or city recorder, or sheriff or clerk of the county, or other persons, to accept applications and fees for the titling and the registration of vehicles and for the issuance of permits under ORS 481.177, 481.178, 481.179 and 481.335 and duplicate plates or stickers under ORS 481.235. Such persons shall serve during such periods of time as the division may designate. Persons so designated shall promptly transmit such applications to the division and properly account to the division for such fees.

(6) A fee of 50 cents shall be charged the applicant for each transaction where a fee is collected under subsection (5) of this section by each person referred to in subsection (5) of this section to cover the expense of such transaction. The fees provided by this subsection and the compensation provided by subsection (7) of this section, if collected or received by:

(a) A county sheriff or county clerk, shall be accounted for as are other fees collected by such officers and shall be paid to the county treasurer and credited to the general fund.

(b) A police officer or city recorder, shall be accounted for as are other fees collected by such officers and shall be paid to the city treasurer.

(c) Any other person who is not a county or city officer or employe, may be retained by such person as compensation for services under this section.

(7) At regular intervals, the division shall pay to each person designated under subsection (5) of this section additional compensation at the rate of 25 cents for each transaction where the person collected a fee under subsection (5) of this section.

(8) A person who violates any provision of subsections (1) to (4) of this section commits a Class C traffic infraction. [Amended by 1959 c.683 §6; 1961 c.56 §1; 1963 c.46 §1; 1965 c.343 §4; 1967 c.515 §3; 1969 c.605 §25; 1971 c.529 §8; 1975 c.209 §1; 1975 c.451 §174; 1975 c.681 §6a; 1979 c.379 §5a]

481.107 Notice of change of address or name. (1) The owner of a vehicle registered under this chapter shall notify the division of

any change of residence or whenever his name is changed, by marriage or otherwise, from that shown upon the registration card and certificate of title issued him by the division. Notice shall be given in writing within 30 days after the date of the change. The notice shall state the old and new residence address or the former and new name and the number of the registration and certificate of title.

(2) A person who violates this section commits a Class C traffic infraction. [1967 c.464 §5; 1975 c.451 §175]

481.110 Certificate of title required; exceptions; how obtained. (1) No person shall operate a motor vehicle, trailer or semitrailer in this state under a registration number of this state without first securing a certificate of title. The owner of each camper, mobile home or travel trailer registered in this state shall secure a certificate of title for such camper, mobile home or travel trailer, whether or not such camper, mobile home or travel trailer is operated on the highways; however, it is not necessary for the owner of any mobile home which does not have a title because of the operation of ORS 308.855 or 308.860 (1969 Replacement Part) to procure a title until such time as the ownership of the mobile home is changed.

(2) No registration card or number plates for any motor vehicle, trailer or semitrailer, whether original issues or duplicates, shall be issued or furnished by the division or any officer charged with such duty, unless the applicant therefor, at the same time, makes application for and is granted an official certificate of title of such vehicle, or presents satisfactory evidence that a certificate of title covering such vehicle has been previously issued to the applicant. The application shall be upon a blank furnished by the division and shall contain a full description of the vehicle, including the vehicle identification number and any distinguishing marks, together with a statement of any security interests in order of priority, the interest of any lessor, and any other information required by the division. The division, if satisfied that the applicant is the owner of such vehicle and otherwise entitled to have a certificate of title issued in his name, shall thereupon issue in the name of the applicant and deliver to the first security interest holder in order of priority, if any, otherwise to the lessor, or if none, the applicant, an appropriate certificate of title authenticated by a seal to be procured and used for such purposes.

(3) A person who violates subsection (1) of this section commits a Class C traffic infraction. [Amended by 1959 c.683 §7; 1965 c.343 §5; 1969 c.605 §26; 1971 c.529 §9; 1975 c.209 §2; 1975 c.451 §176]

481.115 Contents and effect of certificate of title; fee; trailer numbers. (1) The certificates mentioned in ORS 481.110 shall be numbered in a manner prescribed by the division and shall contain such description and other evidence of identification of the vehicle as the division deems proper, together with the name of the owner, any security interest holders in the order of their priority, and lessor, if any. The certificate shall be prima facie evidence of the ownership of such vehicle or of an interest therein. A charge of $7 shall be made for each original certificate of title issued. The certificate is good for the life of the vehicle, so long as it is owned or held by the legal holder of such certificate, and need not be renewed annually, or at any time, except as provided in this chapter.

(2) If a trailer or semitrailer carries no vehicle identification number, such a number shall be assigned by the division and stamped on a metal plate which shall be riveted, welded or permanently attached to the vehicle at the right-hand front corner. The plate shall be furnished by the division.

(3) A person who violates subsection (2) of this section commits a Class C traffic infraction. [Amended by 1963 c.108 §1; 1965 c.343 §6; 1973 c.666 §1; 1975 c.209 §3; 1975 c.451 §177; 1979 c.322 §1]

481.117 Proof of ownership or right to possession of vehicle. In all actions, suits or criminal proceedings when the title to, or right of possession of, any motor vehicle, trailer or semitrailer is involved, the record of registration and license, as it appears in the files and records of the division is prima facie evidence of ownership or right to possession of such vehicle. Such proof of the ownership or right to possession shall be made by means of a copy, certified by the division, of the record of the vehicle, as it appears in the files and records of the division, or by the original certificate of title issued by the division. [Formerly 481.515]

481.120 Registration records. (1) Upon receipt of an application for registration of a motor vehicle, trailer or semitrailer, the division shall maintain records identifying such

vehicle by the distinctive number assigned by the division, the name of the registered owner and the vehicle identification number.

(2) Except as otherwise provided in subsection (3) of this section the records shall be a public record. The division may charge a reasonable fee for furnishing information concerning a vehicle or its owner.

(3) Records of vehicles registered under subsection (2) of ORS 481.125 are exempt from public information as provided under ORS 181.540 and are for the confidential use of criminal justice agencies as defined by ORS 181.010.

(4) The division shall maintain in its office separate records for the registration of dealers. [Amended by 1971 c.292 §1; 1975 c.159 §1; 1979 c.518 §9]

481.123 Person to use same name in all applications for registration, license or permit. (1) If a person uses one name in an application for registration, a license or a permit for a vehicle under this chapter, the person shall use the same name in any application for any other registration, license or permit for the vehicle under this chapter.

(2) The division may refuse to issue, revoke or suspend any registration, license or permit issued or applied for under this chapter if the division determines that the person applying for the license has not complied with subsection (1) of this section. [1979 c.518 §7]

481.125 Registration of government-owned vehicles. (1) Motor vehicles, trailers and semitrailers owned and operated by this state, or cities, counties or other political subdivisions thereof, shall be registered initially as required by ORS 481.105, which registration shall be sufficient as long as the vehicles are so owned and operated. Application for registration of such vehicles shall be made in the regular manner and a fee of $1 shall be forwarded with the application to the division. No other registration fee shall be required. Registration number plates issued by the division to such vehicles shall contain a distinctive symbol indicating that the vehicle is government owned and operated. All such vehicles shall display registration number plates provided by the division as required for other vehicles licensed and registered under this chapter.

(2) Notwithstanding the provisions of subsection (1) of this section, if requested by a federal, state, county or city law enforcement agency, the division may issue registration number plates from any regular plate series for a vehicle operated by the agency in discharging its undercover criminal investigation duties. A fee of $1 shall be required for the initial registration and renewal registration of the vehicle.

(3) A person who violates this section commits a Class C traffic infraction. [Amended by 1975 c.159 §2; 1975 c.451 §178]

481.127 Effect of transfer of government-owned vehicle to private party. Unless a vehicle issued registration number plates under subsection (1) of ORS 481.125 is transferred so that it is owned by the state, or cities, counties or other political subdivisions thereof, upon transfer of the vehicle the number plates shall immediately be removed from the vehicle. [1975 c.159 §4]

481.130 Specially constructed, reconstructed or assembled vehicles; requirements for registration and title. (1) If the motor vehicle, trailer or semitrailer to be registered or titled is specially constructed, or is a reconstructed vehicle or assembled vehicle, that fact shall be stated in the application.

(2) In addition to the application and any required fees, the applicant for title for a reconstructed vehicle or an assembled vehicle shall submit to the division:

(a) The certificate of title last issued for the frame of the vehicle or other evidence of ownership satisfactory to the division;

(b) Bills of sale for components used to build the vehicle; and

(c) Certification of whether or not the use of the components to build the vehicle is consistent with a vehicle manufacturer's use of components for a vehicle of a single year, model and make.

(3) If the applicant certifies that the use of components to build the vehicle:

(a) Qualifies the vehicle as being reconstructed, the division shall show the original year model and make on the title certificate and, except as provided in subsection (5) of this section, the title shall indicate that the vehicle has been reconstructed.

(b) Qualifies the vehicle as being assembled, the division shall show the make on the title certificate as "assembled" and the year the building of the vehicle is completed as the year model on the title certificate.

(4) Assembled vehicles and reconstructed vehicles are subject to inspection and inspection fee under ORS 481.170.

(5) If a reconstructed vehicle qualifies at the time of application for a license under subsection (4) of ORS 481.205, the title records shall indicate that the vehicle has been reconstructed but the title certificate shall not indicate that the vehicle is reconstructed.

(6) A person who violates this section commits a Class C traffic infraction. [Amended by 1975 c.209 §4; 1975 c.451 §179; 1979 c.518 §10]

481.135 Periods of registration. (1) All vehicles required by this chapter to be registered, except motor trucks, truck tractors, truck trailers, semitrailers, trailers for hire, motor busses, bus trailers, electric vehicles used for commercial purposes, armored cars, wreckers, tow cars, hearses and ambulances, and except vehicles otherwise provided for in this chapter, shall be registered for a period of 24 consecutive calendar months.

(2) There are 12 registration periods, each of which shall start on the first day of a calendar month and end on the last day of the 24th month from date of beginning. The periods shall be designated, in accordance with the ending date, as follows:

(a) January 31, first period.

(b) February 28 or 29, second period.

(c) March 31, third period.

(d) April 30, fourth period.

(e) May 31, fifth period.

(f) June 30, sixth period.

(g) July 31, seventh period.

(h) August 31, eighth period.

(i) September 30, ninth period.

(j) October 31, tenth period.

(k) November 30, eleventh period.

(L) December 31, twelfth period.

(3) A vehicle that has once been registered for any of the above-designated periods shall, upon reregistration, be registered for the period bearing the same number.

(4) The vehicles excepted from subsection (1) of this section, other than trailers for hire which are part of a fleet of trailers, shall be registered for a calendar year or, when permitted by ORS 481.205, for a period of 12 consecutive calendar months or for one or more calendar quarters.

(5) Trailers for hire which are part of a fleet of trailers as provided in ORS 481.215 may be registered for a period of either 12 or 60 consecutive calendar months. The owner of the fleet may elect the registration period he desires. [Amended by 1955 c.90 §1; 1965 c.384 §1; 1973 c.727 §1; 1975 c.602 §1]

481.140 Commencement date of registration period when vehicle operated for first time. Subject to subsection (2) of ORS 481.145:

(1) All vehicles required to be registered, other than campers, travel trailers and those vehicles excluded by ORS 481.135, which are operated for the first time upon the public highways of this state during any given month are subject to registration and payment of fees for the 24-month period ending two years from the last day of the first month of operation.

(2) All campers and travel trailers which are registered for the first time are subject to registration and payment of fees for the 24-month period ending two years from the last day of the month the camper or travel trailer is subject to registration.

(3) When a travel trailer assessed under the ad valorem tax laws of this state as a mobile home ceases to be used as a permanent home, it shall be registered and licensed as a travel trailer for the 24-month period commencing on January 1, prior to the end of the last tax year for which the vehicle was subject to ad valorem taxation.

(4) All trailers for hire which are part of a fleet of trailers as provided in ORS 481.215 and which are registered for the first time are subject to registration and payment of fees, according to the registration period elected under subsection (5) of ORS 481.135, for a:

(a) 12-month period ending one year from the last day of the month the trailer for hire is subject to registration.

(b) 60-month period ending five years from the last day of the month the trailer for hire is subject to registration. [Amended by 1955 c.24 §1; 1959 c.683 §19; 1963 c.405 §2; 1969 c.605 §27; 1971 c.529 §6; 1973 c 727 c.2; 1975 c.602 §2]

481.145 Powers of division relating to registration period. (1) The division is empowered and authorized to administer ORS 481.135 and 481.140 and to effect and enforce all administrative regulations, including the proration of fees, necessary to accomplish the enforcement of those sections.

(2) The division may initially register a vehicle for less than a 24-month period, or for more than a 24-month period, not exceeding a maximum of a 30-month period, and prorate the fee on a monthly basis, when in its opinion such fractional registration tends to fulfill the purpose of the monthly series registration system. However the division may initially register a trailer for hire which is part of a fleet of trailers as provided in ORS 481.215 for a maximum 60-month period. [Subsection (3) (1965 Replacement Part) enacted as 1955 c.90 §2; 1961 c.246 §1; 1967 c.463 §6; 1973 c.727 §3; 1975 c.602 §3]

481.150 Denial or cancellation of registration or certificate of title; falsifying registration application. (1) If the division determines at any time that an applicant for a certificate of title of a motor vehicle, trailer or semitrailer is not entitled thereto, the division may refuse to issue the certificate, or to register the vehicle.

(2) After a hearing upon 10 days' notice thereof, the division may cancel the registration or certificate of title or both, of a vehicle, if the division determines that a holder is not entitled thereto, or that all fees applicable to a vehicle, payable to the division, under any provision of law, have not been paid. The notice shall be served in person or by registered mail. When service is by registered mail, the service shall be deemed to be made on the first day after the deposit in the post office that the mail leaves the place of deposit for the place of the address.

(3) When any registration or certificate of title, or both, of a vehicle, is canceled by the division, it shall be surrendered to the division.

(4) No applicant for the registration or reregistration of a vehicle shall knowingly make any false statement or representation with respect to any facts required by this chapter to be set forth in the application for such registration, or use a name other than his true name in such application.

(5) A person who violates subsection (3) or (4) of this section commits a Class A misdemeanor. [Amended by 1959 c.152 §3; 1963 c.405 §3; 1975 c.451 §180]

481.152 Affidavit or other proof of ownership may be required by division before registration or licensing. (1) If the division determines that the transfer of any vehicle under this chapter or any application for issuance of a certificate of title, for registration or for licensing of any vehicle under this chapter raises questions concerning the ownership of the vehicle or undisclosed security interests in the vehicle, the division may require the following before completing the transfer of the vehicle or issuing a certificate of title for, registering or licensing the vehicle:

(a) Proof sufficient to satisfy the division concerning the questions about the ownership of the vehicle or security interests in the vehicle; or

(b) Completion of an affidavit under ORS 481.153.

(2) The division shall not be liable to any person for the transfer of a vehicle or for the issuance of a certificate of title, registration or licensing of a vehicle under this section.

(3) Nothing in this section affects any power of the division to refuse to issue or to revoke a certificate of title or registration under ORS 481.150. [1979 c.322 §8]

481.153 Form, contents and verification of affidavit. (1) Any affidavit required by the division under ORS 481.152:

(a) Shall be in a form required by the division by rule;

(b) Shall contain any information the division may require by rule; and

(c) Shall be verified by the person making the affidavit.

(2) The division may require by rule any information in an affidavit under this section that the division determines is necessary to establish ownership of the vehicle for which the affidavit is completed. [1979 c.322 §9]

481.155 Nonresidents' privileges; registration of foreign vehicles operated for profit; reciprocity; campers on such vehicles. (1) Except as provided in subsections (2) and (3) of this section, every nonresident owner of a motor vehicle, trailer or semitrailer currently registered and licensed in any other country, state or territory, may operate such vehicle over the highways of this state so long as the owner satisfactorily shows that the owner has not and is not engaged in any gainful employment in this state or taken any action to indicate the acquiring of residence in this state during the period of sojourn in this state.

(2) Any vehicles exempt from registration or licensing in this state under subsection (1) of this section must be licensed and registered

in this state when the owner of the vehicle establishes residency in this state by:

(a) Remaining in the state for a consecutive period of six months or more regardless of the domicile of the person;

(b) Placing children in a public school without payment of nonresident tuition fees;

(c) Making a declaration to be a resident of this state for the purpose of obtaining, at resident rates, a state license or tuition fees at an educational institution maintained by public funds;

(d) Maintaining a main office, branch office or warehouse facilities in the state and operating motor vehicles in the state; or

(e) Operating motor vehicles in intrastate transportation for compensation or profit for other than seasonal agricultural work.

(3) Notwithstanding subsection (2) of this section, private passenger motor vehicle owners who are bona fide residents of states adjoining this state shall be permitted to operate their vehicles in this state for so long as such motor vehicles remain currently registered and licensed in an adjoining state.

(4) Except as provided in subsection (5) of this section and in ORS 481.645, before any foreign licensed motor vehicle, trailer or semitrailer shall be operated over the highways of this state for compensation or profit, it shall be registered and licensed in this state in the same manner as required of unregistered motor vehicles, trailers and semitrailers.

(5) Any motor vehicle, trailer or semitrailer may be operated in this state for compensation or profit in the transportation of persons or property, if duly registered and licensed under the laws of the state or country of which the owner is a bona fide resident, only to the extent that in the foreign country, state, territory or federal district where the owner resides like exemptions and privileges are granted vehicles duly registered and licensed under the laws of this state and owned by residents of this state.

(6) A camper on a motor vehicle described in this section shall be subject to registration under this chapter at the same time that such motor vehicle becomes subject to registration and licensing under this section. [Amended by 1955 c.83 §1; 1955 c 487 §3; 1957 c.155 §1; 1969 c.605 §28; 1977 c.687 §1; 1979 c.849 §1]

481.157 [1959 c.683 §21; repealed by 1963 c 289 §1 (481.158 enacted in lieu of 481.157)]

481.158 Use or operation in this state of house trailer currently registered or licensed elsewhere. A mobile home or travel trailer currently registered and licensed in any other country, state or territory may be used in this state or operated over the highways of this state subject to all the conditions contained in ORS 481.155 governing the operation over the highways of foreign licensed motor vehicles, trailers or semitrailers. [1963 c.289 §2 (enacted in lieu of 481.157); 1969 c.605 §29]

481.160 [Amended by 1955 c.48 §1; 1957 c.292 §1; 1961 c.45 §1; 1963 c.261 §1; repealed by 1969 c.294 §25]

481.161 [1965 c.206 §2; repealed by 1969 c.294 §25]

481.162 [1955 c.487 §2; repealed by 1969 c.294 §25]

481.165 Law applicable to foreign vehicles; display of foreign licenses; foreign corporations as residents; purchase or use of foreign licensed vehicle by resident. (1) Any foreign licensed motor vehicle, trailer or semitrailer shall be subject to all laws, rules and regulations governing the operation of such vehicles on the highways of this state.

(2) Except as provided in subsection (4) of this section, the registration number plates assigned and furnished to any foreign licensed motor vehicle, trailer or semitrailer for the current registration year by the country, state or territory where it is licensed shall be displayed on such vehicle substantially as provided in this chapter for vehicles registered pursuant to this chapter.

(3) A foreign corporation owning, operating or maintaining a place of business in this state shall, for the purpose of this chapter, be considered a resident of this state and shall make application to the division upon regular blanks provided for such purpose, to license such motor vehicles as may be used by such corporation doing business in this state.

(4) Upon the purchase, by a resident of this state, of a motor vehicle, trailer or semitrailer registered under the laws of another country, state, territory or federal district, the license numbers shall be declared void and shall be removed from such vehicle by the owner, and the owner shall cause such vehicles to be registered in the manner provided in this chapter for vehicles owned by residents of this state. A resident of this state shall not use within this state any such vehicle registered and licensed under the laws of another country, state, territory or federal district, except when the owner of such vehicle is pay-

ing fees and has complied fully with the motor vehicle transportation law of this state.

(5) A person who violates any provision of subsections (2) to (4) of this section commits a Class C traffic infraction. [Amended by 1975 c.451 §181]

481.170 Surrender of foreign title certificates and evidences of registration investigation; temporary plate. (1) No certificate of title shall be issued by the division for a motor vehicle, trailer or semitrailer from another state, unless with the application there is surrendered the certificate of title issued by the other state, if such state requires certificates of title, and if such state does not require certificates of title, then upon the surrender of the registration card.

(2) Upon the registration of every imported motor vehicle, trailer or semitrailer which has been registered in any other state or country, the registrant shall surrender to the division all number plates, seals, certificates of registration or other evidences of the former registration in the applicant's possession or control.

(3) The division shall physically inspect the vehicle identification number of the vehicle being registered, except mobile homes as defined in subsection (3) of ORS 481.021, verifying that the vehicle identification number matches that on the foreign title and registration, and that the plates turned in are those issued to that particular vehicle. A fee of $5 shall be charged for this inspection. However, if the motor vehicle is located in another state or country the division may designate a person or agency in such state or country to perform the physical inspection and may waive the inspection fee.

(4) The division shall check the foreign plate and the vehicle identification number against those listed as stolen at the National Crime Information Center. If the check indicates the vehicle is stolen, the division shall immediately notify the Oregon State Police.

(5) The division shall issue a temporary number plate to the applicant permitting him to operate the vehicle while the division is determining all facts relative to the applicant's right to receive a certificate of title. Permanent number plates shall be issued, as provided in ORS 481.230, along with the certificate of title.

(6) No certificate of title shall be issued by the division for a motor vehicle, trailer or semitrailer from another state unless the requirements of subsections (3) and (4) of this section are met.

(7) A person who violates the provisions of subsection (2) of this section commits a Class D traffic infraction. [Amended by 1973 c.805 §1; 1975 c.451 §182; 1977 c.257 §1]

481.175 [Repealed by 1955 c.8 §1]

481.177 Permit to operate unregistered vehicle over highway; trip permits for mobile home movements. (1) Any owner or operator of a motor vehicle, trailer or semitrailer not currently registered, any owner or operator of such a vehicle from a jurisdiction with which this state does not have a reciprocity or proration agreement or the owner or operator of such a vehicle who does not care to comply with the provisions of ORS 481.645 may purchase a trip permit from the division for the operation of such a vehicle over the highways or the owner or operator shall fully register such a vehicle in this state.

(2) Except as provided in subsection (3) of ORS 481.390 all movements of mobile homes on the highways of this state shall be by trip permit. The trip permit shall be at least eight and one-half inches by 11 inches and of such a color and size of print to be as easily identified as a vehicle license plate issued under this chapter.

(a) For movements to a situs within this state, trip permits shall be completed in quadruplicate. The permit shall be prominently displayed on the rear of the mobile home being moved. The three copies shall be sent to the division which shall retain one copy or the information therefrom, and which shall send one copy to the assessor of the county where the mobile home had situs prior to the move, and the remaining copy to the assessor of the county to which the mobile home will be moved.

(b) Trip permits shall be issued to dealers and transporters in bulk prior to the time of movement. The trip permit may be completed by the person moving the mobile home and shall be done prior to movement. The copies for the division shall be remitted to the division within 10 days after the time of movement.

(c) No trip permit shall be issued for movement of a mobile home from its situs in the county to another situs outside the county until payment is made to the county of all property taxes then due and unpaid, or which

have or will become a lien on the mobile home during the current calendar year but which are not due.

(d) The trip permits shall contain such information as is required by the division, and shall contain the name of the owner of the mobile home, the identification plate number of the mobile home or the vehicle identification number of the mobile home if an identification plate has not been issued, the location of the place from which it was moved, and the address of the place to which it is to be moved.

(e) For movements to a situs outside of the state, prior to the completion of a trip permit or movement of the mobile home, the owner must apply for and receive from the division a special license plate under ORS 481.467.

(3) A person who violates any provision of subsection (2) of this section commits a Class B traffic infraction. [1967 c.582 §2 (enacted in lieu of 481.180); 1971 c.529 §21; 1973 c.91 §4; 1975 c.209 §5; 1975 c.451 §183; 1977 c.718 §2; 1979 c.322 §2]

481.178 Fees for trip permits. The fees for such trip permits shall be:

(1) Each motor vehicle or combination of vehicles having a combined weight of 8,000 pounds or less:

(a) $2 valid for five days.

(b) $4 valid for 10 days.

(2) Each motor vehicle or combination of vehicles having a combined weight in excess of 8,000 pounds:

(a) $5 valid for five days.

(b) $10 valid for 10 days.

(3) Each trailer, without a power unit, having a combined weight of 8,000 pounds or less:

(a) $2 valid for five days.

(b) $4 valid for 10 days.

(4) Each trailer, without a power unit, having a combined weight in excess of 8,000 pounds:

(a) $5 valid for five days.

(b) $10 valid for 10 days.

(5) Each mobile home trip permit issued to a transporter or dealer under subsection (2) of ORS 481.177, the sum of $5. [1967 c.582 §3 (enacted in lieu of 481.180); 1971 c.264 §1; 1971 c.529 §29; 1979 c.322 §3]

481.179 Issuance of trip permits; rules and regulations. (1) The division shall make the trip permits available at all field offices and agents maintained by the division and may make arrangements for the issuance of these trip permits by designated individuals, firms or associations for the convenience of the motoring public.

(2) The division may also sell such trip permits in advance of issuance to contractors, transportation companies and other users for issuance to their own vehicles or vehicles under their control.

(3) The division shall issue rules and regulations for the type of permit and the issuance, sale and control of all such permits. [1967 c.582 §4 (enacted in lieu of 481.180)]

481.180 [Amended by 1955 c.204 §1; 1955 c.668 §7; 1959 c.683 §22; 1963 c.289 §3; repealed by 1967 c.582 §1 (481.177, 481.178 and 481.179 enacted in lieu of 481.180)]

481.182 Applicability of chapter to vehicles of members of Armed Forces; exemption period. The provisions of this chapter relative to the registration of vehicles and the display of number plates do not apply to a vehicle having registration and displaying plates issued by the Armed Forces of the United States in foreign countries for vehicles owned by members of the Armed Forces. However, such exemption applies only for a period of 45 days from the time the vehicle is returned to the United States. [1965 c.37 §2]

481.183 [1959 c.683 §24; repealed by 1963 c.289 §4]

481.184 Reciprocal arrangements applicable to registration or licensing of commercial vehicles. (1) As used in this section, "Reciprocity Officer" means the Administrator of the Motor Vehicles Division of the Department of Transportation.

(2) The Reciprocity Officer may enter into agreements or arrangements with duly authorized representatives of any state bordering this state as follows:

(a) The agreements or arrangements shall be applicable to commercial vehicles, or to a class of commercial vehicles to be specified in such agreement or arrangement.

(b) The agreement or arrangement shall be applicable only within an area in each state, situate along the boundary line between the two, to be substantially equal in size and usage as nearly as may be practicable, and to be described in such agreement or arrangement.

(c) The agreement or arrangement shall exempt the owners or persons entitled to the possession of or right to operate vehicles of the

type or class specified therein, which are properly registered or licensed in such other state, and upon which evidence of registration is conspicuously displayed, from the payment, wholly or partially, of any vehicle license, registration or weight fee imposed under this chapter, and while operating such vehicle in the area in this state described in such agreement or arrangement.

(d) The agreement or arrangement shall contain provisions by which the owners or persons entitled to the possession of or right to operate vehicles of the type or class specified therein, and registered or licensed in this state, shall receive substantially equivalent exemptions, benefits and privileges and terms and conditions while operating such vehicles in the area in the other state described in such agreement or arrangement as in the Reciprocity Officer's judgment is best calculated to promote the interests of this state. The agreement or arrangement may contain provisions authorizing the division to issue reciprocity permits to identify vehicles entitled to operate within the areas described in the agreement or arrangement.

(e) The agreement or arrangement shall not require proportionate registration and licensing of vehicles provided for in this chapter.

(f) The agreement or arrangement may contain provisions denying the exemptions, benefits and privileges granted thereunder to any person who violates conditions stated therein or who violates rules and regulations for the administration of reciprocal exemptions, benefits and privileges issued by the Reciprocity Officer. [1969 c.224 §2]

481.190 When motor vehicle pollution control systems required for registration; certificates of compliance; standards; exemptions. (1) Motor vehicles registered within the boundaries, designated in ORS 268.125, of the metropolitan service district formed under ORS chapter 268 for the metropolitan area, as defined in subsection (3) of ORS 268.020, which includes the City of Portland, Oregon, shall be equipped with a motor vehicle pollution control system and shall comply with the motor vehicle pollutant, noise control and emission standards adopted by the Environmental Quality Commission pursuant to ORS 468.370. Each of such motor vehicles which is registered as a government-owned vehicle under ORS 481.125 and not within any category of subsection (3) of this section must be certified annually as complying with the requirements of this subsection in order that such registration shall continue to be sufficient.

(2) The division shall not issue a registration or renewal of registration for a motor vehicle subject to the requirements of subsection (1) of this section unless the division receives, with the registration or renewal of registration, a completed certificate of compliance. The certificate must be signed by a person licensed and qualified pursuant to ORS 468.390 and must be dated not more than 90 days prior to the motor vehicle registration or renewal of registration date.

(3) Notwithstanding subsection (2) of this section, no certificate of compliance shall be required to accompany the application for registration for:

(a) A new motor vehicle or new motor vehicle engine when the registration results from the initial retail sale thereof.

(b) A motor vehicle manufactured prior to 1942.

(c) A motor vehicle for which a farm truck license has been issued under ORS 481.225.

(d) A motor vehicle of special interest as that term is defined in paragraph (c) of subsection (6) of ORS 481.205.

(e) A fixed load vehicle as defined in ORS 481.272.

(f) Vehicles registered under agreements provided for by ORS 481.645.

(g) Electric motor vehicles.

(4) A certificate of compliance required under this section shall be made on a form supplied by the Department of Environmental Quality and shall include such information as the department may require.

(5) Local governmental agencies providing self-testing facilities shall not be charged a fee in connection with provision of the required certificate of compliance. However, a reasonable fee covering department expenses in administering such self-testing programs may be charged.

(6) As used in this section, "certified system," "motor vehicle" and "motor vehicle pollution control system" have the meanings given those terms in ORS 468.360. [1971 c 454 §§11, 12, 1973 c.835 §71; 1974 s.s. c.73 §3, 1975 c.535 §1; 1975 c.670 §5; 1977 c.787 §1; 1979 c 481 §1]

481.195 [1974 s.s. c.73 §6; repealed by 1975 c.535 §5]

481.200 Prohibited acts relating to certificate of compliance. (1) No person shall make, issue or knowingly use any imitation or counterfeit of a certificate of compliance provided under ORS 481.190.

(2) A person who violates any provision of this section commits a Class C traffic infraction, but each day of violation does not constitute a separate offense. [1974 s.s. c.73 §7; 1975 c.451 §185; 1975 c.535 §4]

LICENSE FEES; REGISTRATION CARDS AND PLATES

481.202 Required fee must be paid. (1) Subject to the provisions of ORS 483.628, no person, other than a disabled veteran as defined in subsection (2) of ORS 481.230, shall operate a vehicle or transport a camper registered with the division under the provisions of this chapter unless the proper fee provided by ORS 481.205 to 481.225, 481.450, 481.460 and 481.490 has been paid.

(2) A person who violates this section commits a Class C traffic infraction. [Formerly part of 481.990; amended by 1969 c.605 §30; 1975 c.357 §1; 1975 c 451 §186]

481.205 When fees are payable; fees for mopeds, motorcycles, disaster units and antique vehicles. (1) Except as provided in subsection (2) of this section, the annual and biennial license fees prescribed in ORS 481.205 to 481.225 and 481.450 shall be paid to the division upon the registration or upon the annual or biennial renewal of a registration of a motor vehicle, camper, trailer or semitrailer. The fee prescribed by subsection (5) of this section shall be paid upon the registration of a motor vehicle, camper, trailer or semitrailer and at other times when a reflectorized plate is issued.

(2) (a) License fees for vehicles described in subsections (2) and (3) of ORS 481.210 may be paid on an annual registration basis, or on a quarterly registration basis for not to exceed three quarters, which annual or quarterly license period shall commence at the beginning of any calendar quarter. However, license fees for vehicles registered under ORS 481.645 shall be paid on an annual registration basis from January 1 to December 31, inclusive. For the privilege of making registration on a quarterly basis, an additional fee of $1 shall be added to the license payment.

(b) License fees for trailers for hire which are part of a fleet of trailers as provided in ORS 481.215 may be paid either on an annual registration basis or a five-year registration basis as provided in ORS 481.215.

(3) In no case shall any registration fees, or any portion thereof, be less than $10, except for the registration of disaster units, as the term is used in paragraph (d) of this subsection, mopeds and motorcycles. Biennial license fees for these vehicles are as follows:

(a) Mopeds, $6.

(b) Motorcycles, $6.

(c) Motorcycles with sidecar, $10.

(d) Motor vehicles or motor trucks commonly known as disaster units which, when in use, are manned by volunteers, which are operated without profit, which are not licensed under ORS 481.125, and which are used for disaster and emergency relief only, $2.

(4) (a) Any motor vehicle at least one-half the age of the automobile manufacturing industry in the United States, such industry defined as having begun in the year 1900, which is maintained as a collectors' item and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property may be issued a permanent license valid for the life of such motor vehicle.

(b) The fee for the permanent license provided for in paragraph (a) of this subsection shall be $20.

(5) The fee for each reflectorized vehicle number or identification plate issued shall be 50 cents and for each set of two plates issued shall be $1.

(6) (a) Any motor vehicle of special interest which is maintained as a collectors' item and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property may be issued a permanent license valid for the life of such motor vehicle.

(b) The fee for the permanent license provided for in paragraph (a) of this subsection and ORS 481.295, shall be $35.

(c) As used in this subsection, "motor vehicle of special interest" means an American or foreign-made motor vehicle that is:

(A) At least 25 years old at the time application is made for a permanent license under this subsection; or

(B) Maintained and operated in accordance with paragraph (a) of this subsection and is sanctioned as a motor vehicle of special interest by an established organization that provides for recognition of motor vehicles of special interest.

(d) A reconstructed motor vehicle may be a motor vehicle of special interest if:

(A) The division determines that the reconstructed motor vehicle has been reconstructed with substantially original parts; and

(B) The reconstructed motor vehicle otherwise complies with paragraph (c) of this subsection.

(7) A person who violates any provision of this section commits a Class D traffic infraction. [Amended by 1957 c.289 §1; 1963 c.405 §4; 1965 c.384 §2; 1969 c.605 §31; 1971 c.529 §32; 1973 c.81 §2; 1973 c.727 §4; 1975 c.451 §187; 1975 c.602 §4c; 1975 c.670 §1; 1979 c.518 §11; 1979 c.871 §6a]

481.210 Fees for electric vehicles, passenger automobiles, motor trucks, truck tractors, armored cars, wreckers, motor busses, tow cars, self-propelled mobile cranes, hearses, ambulances, bus trailers, truck trailers, semitrailers and fixed load vehicles. (1) Biennial license fees for the following vehicles are:

(a) Electric vehicles used for pleasure equipped with four wheels, $50; equipped with two or three wheels, $20.

(b) Vehicles not otherwise provided for in this chapter, $20.

(2) (a) Except as otherwise provided in this chapter, annual license fees for motor trucks, truck tractors, armored cars, wreckers, motor busses, tow cars, self-propelled mobile cranes, hearses and ambulances are as follows, based upon combined weight in pounds:

8,000	or less	$ 10
8,001	to 10,000	35
10,001	to 12,000	40
12,001	to 14,000	45
14,001	to 16,000	50
16,001	to 18,000	55
18,001	to 20,000	60
20,001	to 22,000	65
22,001	to 24,000	70
24,001	to 26,000	75
26,001	to 28,000	80
28,001	to 30,000	85
30,001	to 32,000	90
32,001	to 34,000	95
34,001	to 36,000	100
36,001	to 38,000	105
38,001	to 40,000	110
40,001	to 42,000	115
42,001	to 44,000	120
44,001	to 46,000	125
46,001	to 48,000	130
	over 48,000	130 plus $5 for each 2,000 pounds or portion of 2,000 pounds in excess of 48,000 pounds.

(b) The weight of a camper shall not be considered as a load in determining the combined weight of a motor vehicle which may be subject to this subsection.

(3) Except as otherwise provided in this chapter, annual license fees for truck trailers, bus trailers and semitrailers are as follows, based upon combined weight in pounds:

8,000	or less	$ 10
8,001	to 10,000	20
10,001	to 12,000	25
12,001	to 14,000	30
14,001	to 16,000	35
16,001	to 18,000	40
18,001	to 20,000	45
20,001	to 22,000	50
22,001	to 24,000	55
24,001	to 26,000	60
26,001	to 28,000	65
28,001	to 30,000	70
30,001	to 32,000	75
32,001	to 34,000	80
34,001	to 36,000	85
36,001	to 38,000	90
38,001	to 40,000	95
40,001	to 42,000	100
42,001	to 44,000	105
44,001	to 46,000	110
46,001	to 48,000	115
	over48,000	115 plus $5 for each 2,000 pounds or portion of 2,000 pounds in excess of 48,000 pounds.

(4) When vehicles listed in subsections (2) and (3) of this section are registered under ORS 481.645 after the expiration of:

(a) The first quarter of the registration year, three-fourths of the annual license fee shall be paid.

(b) The first half of the registration year, one-half of the annual license fee shall be paid.

(c) Three-fourths of the registration year, one-fourth of the annual license fee shall be paid.

(5) Annual license fees for fixed load vehicles having a weight of 3,000 pounds or less are $10 and annual fees for fixed load vehicles having a weight in excess of 3,000 pounds are $25.

(6) In order to register a fixed load vehicle for the minimum fee of $10, the owner shall have the vehicle weighed on a scale approved by the State Sealer of Weights and Measures or his deputy and present a certificate of weight including the cab, chassis and fixed or permanent load of such vehicle. If the owner does not submit a certificate of weight, the division shall register such vehicle for the maximum fee of $25.

(7) Annual license fees for electric vehicles used for commercial purposes are the same as fees paid for motor trucks, provided by subsection (2) or (3) of this section or by ORS 481.225, plus 50 percent of such fee.

[Amended by 1953 c.380 §3; 1955 c.736 §1; 1959 c.110 §2; 1959 c.152 §4; 1959 c.417 §4; 1961 c.539 §1; 1965 c.384 §3; 1965 c.389 §2; 1967 c.481 §1; 1969 c.36 §1; 1973 c.727 §5; 1974 s.s. c.55 §2; 1979 c.379 §6]

481.215 Fees for various types of trailers; fleets. (1) Except as provided in subsections (3) and (4) of this section, annual license fee for trailers (other than travel trailers and mobile homes, bus trailers and truck trailers) that are for hire and are equipped with pneumatic tires is $10.

(2) Except as to trailers for hire and travel trailers and mobile homes, no license fee is required for trailers equipped with pneumatic tires and having a combined weight of not more than 1,800 pounds.

(3) (a) Notwithstanding any other provision of this chapter, when trailers that are for hire and are equipped with pneumatic tires are operated in this state and other jurisdictions as a part of a fleet of trailers for hire, a number of such trailers equal to the average number of such trailers operated in and through Oregon during the preceding registration year, shall be registered with the division and fees thereon shall be paid either as provided in subsection (1) or (4) of this section. Thereafter, all trailers identified as being a part of the fleet and currently registered in any state, territory, province, country or the District of Columbia shall be permitted to operate in this state in both interstate and intrastate commerce. "Fleet" as used in this section, means two or more trailers each having a combined weight of 6,000 pounds or less and operated by an individual, association or group of owners if all trailers operated by the individual, association or group are easily and clearly identified as being operated by the individual, association or group.

(b) Verifiable data as to the average number of such trailers operating in and through the State of Oregon shall be filed in certified form with the division by the owner or authorized representative of the fleet. Any owner whose application for registration under this subsection has been accepted by the division shall preserve the records on which the application is based for a period of four years following the year or period upon which the application is based. Upon request of the division, the owner shall make such records available to the division at its office for audit as to accuracy of number of vehicles, computations and payments or shall pay the reasonable costs of an audit at the home office of the owner by a duly appointed representative of the division.

(c) If the division determines that the applicant under this section should have registered more trailers in this state under the provisions of this plan, the division may deny any further benefits to the fleet until the additional trailers have been registered.

(d) The division may make arrangements with agencies of this state or other jurisdictions administering motor vehicle registration laws for joint audits of any owner having trailers registered under this section.

(4) If an owner of a fleet of trailers for hire elects a 60-month period of registration as an alternative to annual registration of such trailers, the license fee shall be paid as follows:

(a) A $10 license fee for the first 12 months of the 60-month period and a bond in such sum as the administrator deems reasonable and adequate in the circumstances with sufficient surety, conditioned that the owner will pay a $10 license fee at the begining of each 12-month period; or

(b) A $50 license fee for the entire 60-month period. [Amended by 1955 c.212 §2; 1957 c.677 §1; 1959 c.110 §3; 1959 c.152 §5; 1959 c.683 §17; 1963 c.405 §5; 1965 c.255 §1; 1969 c.605 §32; 1975 c.602 §5]

481.220 When certificates of weight and passenger capacity are required. (1) At the time of making application for a license to operate a motor truck, truck tractor, truck trailer, semitrailer, armored car, wrecker, tow car, hearse or ambulance, or whenever such a vehicle has been altered or reconstructed, the applicant shall furnish to the division, for the purpose of enabling it to compute the fee to be paid by the applicant, a written declaration of the combined weight of the vehicle.

(2) At the time of making application for a farm truck license under ORS 481.225 or for a license to operate a motor bus or bus trailer, or whenever such a vehicle has been altered or reconstructed, the applicant shall furnish to the division, for the purpose of enabling it to compute the fee to be paid by the applicant, a certificate of the light weight of such vehicle, and in the case of a motor bus or bus trailer, a certificate indicating the number of passengers, including the driver, to be carried thereon. The certificate regarding the light weight is valid only if made with respect to a scale approved by the State Sealer of Weights and Measures or his deputy.

(3) At the time of making application for a license to operate a self-propelled mobile crane, or whenever such a vehicle has been altered or reconstructed, the applicant shall furnish to the division, for the purpose of enabling it to compute the fee to be paid by the applicant, a certificate of the combined weight of such vehicle. The certificate regarding the weight is valid only if made with respect to a scale approved by the State Sealer of Weights and Measures or his deputy.

(4) A person who violates any provision of this section commits a Class D traffic infraction. [Amended by 1959 c.152 §6; 1959 c.417 §5; 1963 c.405 §6; 1975 c.451 §188]

481.225 Special license for farm vehicles; fees. (1) Any farmer owning or leasing a motor truck, truck tractor, truck trailer, semitrailer or vehicle used for one or more of the purposes specified in paragraphs (a), (b) and (d) of subsection (3) of this section may apply to the division for and receive a farm truck license to operate the truck, truck tractor, truck trailer, semitrailer or vehicle for the full annual license period by paying therefor the license fees established by subsection (5) of this section.

(2) Any farmer owning or leasing a motor truck, truck tractor, truck trailer, semitrailer or vehicle used partly for one or more of the purposes specified in paragraphs (a), (b) and (d) of subsection (3) of this section and partly for the purpose described in paragraph (c) of subsection (3) of this section may apply to the division for and receive an apportioned farm license to operate the truck, truck tractor, truck trailer, semitrailer or vehicle for the full annual license period by paying therefor the license fees established by subsection (5) of this section. A vehicle licensed under this subsection shall be subject to the provisions of ORS 767.775 to 767.905 to the extent that it is used for the purposes described in paragraph (c) of subsection (3) of this section.

(3) A motor truck, truck tractor, truck trailer, semitrailer or vehicle shall be issued a license under this section only:

(a) When owned or leased by a farmer and used in transporting his own agricultural commodities, agricultural products or livestock (including the products of such commodities, products or livestock that were packed, processed or manufactured on his farm) that were originally grown or raised by him on his farm, or when used in any transportation which is incidental to the regular operation of his farm, or when used to transport supplies, equipment or materials to his farm that are consumed or used on his farm.

(b) When owned or leased by a farmer and used in transporting forest products to his own farm, or transporting for any purpose forest products originating on his farm.

(c) When owned or leased by a farmer and used partly in transporting from the farm of another farmer agricultural commodities, agricultural products or livestock (including the products of such commodities, products or livestock that were packed, processed or manufactured on such farm and those products indicated in paragraph (b) of this subsection) that were originally grown or raised on such farm or when used partly in transporting agricultural supplies, equipment, materials or livestock to the farm of another farmer for use or consumption on such farm.

(d) When owned or leased by a farmer and used in the transportation of agricultural products, supplies, equipment or materials for another farmer on an exchange of labor basis if such supplies, equipment or materials are to

be used or consumed on such farm or are directly related to the operation of said farm.

(4) For the purposes of paragraphs (a) and (c) of subsection (3) of this section, packed or processed agricultural products or livestock does not include products that have been transformed into a finished state on the farm.

(5) The license fee for licenses issued pursuant to subsections (1) and (2) of this section shall be based upon the following, using the light weight of the vehicle:

(a) Over 3,000 pounds and not over 4,500 pounds, 40 cents per 100 pounds or fraction thereof.

(b) Over 4,500 pounds, 60 cents per 100 pounds or fraction thereof.

(6) A vehicle licensed under subsection (1) of this section may be operated for the personal use of the farmer, any member of his immediate family or any person in his employ but any use of such vehicle contrary to ORS 767.030 shall subject the owner and the vehicle to ORS chapter 767. A vehicle licensed under subsection (2) of this section shall not be subject to ORS 767.005 to 767.640.

(7) As used in this section:

(a) "Farm" includes one or more farms, orchards or ranches.

(b) "Farmer" means a person who is engaged, either as owner or renter, in a farm operation of a size to reasonably require the use of the motor vehicle or vehicles claimed under the exemptions provided by this section and ORS chapter 767, but does not include cooperative corporations or associations organized under the provisions of ORS chapter 62 or corporations, or subsidiaries of corporations, if the shares of the corporation or subsidiary are owned by more than 100 shareholders. As used in this paragraph, "shares" and "shareholder" have the same meaning given these terms in ORS 57.004.

(8) As used in this section, "forest products" means forest materials originating on a farm or as an incident to the regular operation of a farm, but piling, poles over 30 inches in circumference at the large end, and logs over eight feet six inches in length or logs over eight feet six inches but not over 16 feet 6 inches in length when transported on any motor vehicle having a gross weight in excess of 16,000 pounds shall not be considered forest products, agricultural commodities or agricultural products within the meaning of this section.

(9) Application for a license under this section shall be made upon forms prepared by the division and shall include:

(a) The name, residence, specific location and post-office address of the applicant.

(b) The specific location and approximate number of acres in the farm upon which the truck, truck tractor, truck trailer, semitrailer or vehicle is to be used.

(c) The type of agricultural commodities, agricultural products or livestock, produced on the farm and approximate amounts produced annually.

(d) Number of trucks used on the farm.

(e) A statement and representation that the truck, truck tractor, truck trailer, semitrailer or vehicle will be used for one or more of the purposes specified in subsection (3) of this section, and will not, at any time while licensed under this section, be used for any other purpose or for the transportation of any other commodities or products for hire, except as provided in subsection (3) of this section and that the truck, truck tractor, truck trailer, semitrailer or vehicle is needed in the operation of the farm.

(f) Any other information required by the division.

(g) Additional information required by law or by the division in making an application for a regular annual truck, truck tractor, truck trailer, semitrailer or vehicle license.

(10) Application for renewal of a farm license shall contain only a statement that the use of the vehicle has not changed substantially since the date the vehicle was most recently licensed.

(11) The application shall contain or be verified by a written declaration that it is made under penalties for false swearing. No person shall wilfully make and subscribe any application which contains or is verified by a written declaration that it is made under penalties for false swearing, which he does not believe to be true and correct as to every material matter.

(12) No person shall use a vehicle licensed under this section, or permit a vehicle owned by him and licensed under this section, to be used for any purpose other than those listed in subsections (2) and (3) of this section.

(13) The division is authorized to procure and furnish number plates of a special design, to be used in connection with the farm truck licenses issued under this section.

(14) Upon sale of a truck, truck tractor, truck trailer, semitrailer or vehicle licensed under this section, the number plates shall be deemed void and shall be removed from such vehicle by the new owner and surrendered to the division. However, if the new owner is entitled to license the truck, truck tractor, truck trailer, semitrailer or vehicle under this section and makes application for transfer of the license to him, the division shall transfer the license to the new owner upon payment of the certificate of title fee specified in ORS 481.115 and the number plates on the vehicle at the time of the sale shall be valid for the balance of the license period.

(15) A person who violates any provision of this section commits a Class B traffic infraction. [Amended by 1957 c.391 §1; 1959 c.514 §1; 1965 c.181 §1; 1971 c.655 §247; 1973 c.396 §6; 1975 c.451 §189; 1977 c.253 §41; 1977 c.684 §1]

481.227 Application of ORS 767.005 to 767.640 to apportioned farm licensed vehicle. ORS 767.005 to 767.640 do not apply to motor vehicles operating under an apportioned farm license as defined in subsection (2) of ORS 481.225 when the vehicle is being used to transport for hire from the farm of another farmer the agricultural commodities, agricultural products or livestock (including the products of such commodities, products or livestock that were packed, processed or manufactured on such farm and those products indicated in paragraph (b) of subsection (1) of ORS 767.030) that were originally grown or raised on such farm or when used partly in transporting supplies, equipment, materials or livestock to the farm of another farmer for use or consumption on such farm. [1977 c.684 §3]

481.230 Issuance of license plates, stickers and registration card; keeping in or on vehicle. (1) Except as provided in ORS 481.170 and subsection (2) of this section, upon the filing of an application for registration and the payment of the license and reflectorized plate fees, the division shall, in the absence of just cause for refusing to grant a license to such applicant, assign to the vehicle a distinctive number or other distinctive means of identification and issue and deliver to the owner two number plates bearing the same number, or two identification plates bearing the same characters, except that:

(a) Only one such plate shall be issued for a moped, motorcycle or for any trailer or semitrailer licensed under this chapter, including, but not limited to, those described in ORS 481.045 and 481.060.

(b) Stickers as authorized by ORS 481.235 may be issued in lieu of new plates upon renewal of registration.

(c) In case of a travel trailer one sticker, as described in ORS 481.235, shall be issued with the plate and upon each renewal of registration. The sticker shall be placed upon the plate.

(d) Upon registration of a camper, the division shall issue a sticker, or a plate and a sticker, which shall be placed upon the rear of the camper, in a place designated by the division.

(e) Upon registration of a mobile home, one identification plate referred to in subsection (3) of ORS 481.105 shall be issued.

(2) Except as provided in ORS 481.170, when the applicant is a disabled veteran, the division, without requiring the payment of any fee and upon the filing of an application for registration, shall, in the absence of just cause for refusing to grant a license to the applicant, assign to the vehicle a distinctive number or other distinctive means of identification and issue and deliver to the owner two number plates bearing the same number, or two identification plates bearing the same characters, except as provided in paragraphs (a) to (e) of subsection (1) of this section. The division shall not issue number plates under this subsection if another vehicle owned by the disabled veteran or member of the veteran's household has been issued number plates under this section. As used in this subsection:

(a) "Disabled veteran" means a disabled person, as that term is defined in ORS 487.915, who is a veteran and whose disability results from service-connected causes.

(b) "Veteran" means a person who has been a member of and discharged or released under honorable conditions from the Armed Forces of the United States, and whose service was for not less than 90 consecutive days or who was discharged or released on account of a service-connected injury or illness prior to the completion of the minimum period of service.

(3) The division shall furnish for each vehicle and camper registered, a registration card, which shall contain upon its face the following data:

(a) The name of the registered owner.

(b) The owner's post-office address and the name of the county in which the owner resides or conducts business.

(c) The make.

(d) The year or model.

(e) The model or letter designated by the manufacturer.

(f) The vehicle identification number as denoted by the certificate of title issued for the vehicle or camper.

(g) The number of the certificate of title issued for the vehicle or camper.

(h) The registration or license number and date of issuance of the registration card.

(i) The combined weight of the vehicle.

(4) The registration card shall contain a blank space for the signature of the registered owner and shall be signed with ink by such owner immediately upon receipt.

(5) Every owner, upon receipt of a registration card for a vehicle, shall place and keep it in or on the vehicle in a manner that makes it readily available for police inspection upon request. However, in lieu of the registration card for a commercial vehicle, the owner may use a photocopy of the card. In the case of a camper, the owner shall keep the registration card in the transporting vehicle.

(6) A person who violates any provision of this section commits a Class C traffic infraction. [Amended by 1955 c.95 §1; 1959 c.152 §7; 1963 c.405 §7; 1967 c.32 §3; 1969 c.605 §33; 1971 c.529 §7; 1973 c.81 §3; 1973 c.805 §2; 1975 c.209 §6; 1975 c.357 §2; 1975 c.451 §190; 1979 c.809 §8a; 1979 c.871 §7]

481.232 Special license plates for amateur radio operators. Upon application accompanied by proof of ownership of such license, and the payment of an additional fee of $5 by such licensee, the distinctive means of identification referred to in ORS 481.230 for motor vehicles owned by residents of this state who hold valid, unrevoked and unexpired official amateur radio station licenses, issued by the Federal Communication Commission, shall be the official amateur radio call letters of such applicant. Upon the revocation or expiration of such radio licenses the licensee shall return the call letter identification plates to the division and receive in lieu thereof regular identification plates. [1953 c.305 §1; 1979 c.775 §1]

481.235 When license plates remain with vehicle; transfer and replacement of plates. (1) Except as otherwise provided in this section, the number plates or identification plates assigned as provided in ORS 481.230 shall remain with the vehicle for the period of registration mentioned in the application therefor.

(2) The division may select permanent number or identification plates consisting of a main plate and a sticker bearing the last two numbers of the last year of the period for which the license is issued, in which event the main number or identification plate assigned, or the numerals, letters or characters thereon, shall remain with the vehicle as long as the vehicle is required to be licensed in this state, and the sticker shall remain with the vehicle for the period of registration mentioned in the application therefor.

(3) The division may allow registration plates to be transferred to another vehicle upon receipt of an application therefor, together with a fee of $7, this fee to be in addition to the regular registration fee.

(4) (a) In the event of the loss, destruction or mutilation rendering illegible a number, identification or sticker, the owner of a registered vehicle to which the plate is assigned shall apply to the division for a duplicate thereof, upon forms prepared by it, stating the fact together with a fee of $1 per number or identification plate, sticker or pair of stickers.

(b) The division may, in lieu of duplicates, assign and issue new number or identification plates, stickers or both by the set, the fee to be charged therefor being the same as that which would be required for the duplicates applied for. The duplicates or new sets issued shall be valid only for the period assigned to the plates and stickers which they replace. [Amended by 1959 c.187 §1; 1963 c.405 §8; 1967 c.84 §1; 1971 c.169 §1; 1973 c.727 §6; 1979 c.322 §4]

481.240 Transfer of registration from one truck, bus or trailer to another. (1) In the event a duly registered motor truck, truck tractor, trailer (other than a travel trailer or a mobile home), semitrailer or motor bus used in the transportation of passengers or property for which a license in excess of $10 has been paid, is destroyed or permanently withdrawn from service within this state and replaced in such service by a like vehicle to be similarly used, the registered owner shall be permitted to transfer the number or identification plates from the vehicle destroyed or withdrawn from service to the vehicle replacing it, and a registration card shall be issued therefor without the payment of any further

fee, except as provided in subsections (2) and (3) of this section.

(2) To effect such transfer and registration, the owner of the vehicle to be replaced shall pay to the division a registration transfer fee of $2, file in its office an affidavit showing the fact of destruction or withdrawal, and surrender the registration card therefor.

(3) If the weight of the vehicle being registered under this section exceeds the weight of the vehicle destroyed or withdrawn, there shall be paid to the division for such excess weight, a license fee at the rate prescribed in ORS 481.210 to 481.225. [Amended by 1969 c.605 §34]

481.245 Refund of fee when vehicle destroyed. Whenever any motor truck, truck tractor, trailer, semitrailer or motor bus licensed under the laws of this state, for which a registration or license fee in excess of $10 has been paid, is destroyed accidentally so as to be incapable of further operation, the person in whose name such vehicle is registered is entitled to a refund of that portion of the fee applicable to the then unexpired portion of the registration year. At the time of making application for refund the certificate of title, registration card and registration number plates of the vehicle shall be surrendered to the division for cancellation. Claims for refunds shall be filed and paid as provided by ORS 481.947. [Amended by 1967 c.175 §4; 1969 c.605 §35]

481.250 [Repealed by 1967 c.175 §6]

481.255 Display of license plates required. (1) Except as provided in ORS 481.260, no person shall operate a motor vehicle or transport a camper upon the highways unless it has the number or identification plate or plates assigned to it by the division conspicuously displayed on the rear of such vehicle, if only one plate is required, and on the front and rear of such vehicle, if two plates are required, in plain view and so as to be read easily by the public. No person shall display any number which does not entitle the holder thereof to operate such vehicle upon the highways.

(2) A person who violates this section commits a Class B traffic infraction. [Amended by 1953 c.54 §3; 1953 c.305 §2; 1969 c.605 §36; 1975 c.451 §191]

481.257 Combined weight required to be painted on or near doors of vehicle; exceptions. (1) No person shall operate a vehicle upon the highways unless the combined weight of the vehicle is painted in figures at least two inches high on or near the right and left doors of the vehicle in the case of a motor truck, truck tractor, armored car, wrecker or tow car, or on the lower front corner of both sides of the vehicle, in the case of a truck trailer or semitrailer. The total combined weight of all vehicles in a combination may be painted in figures at least two inches high on or near the right and left doors of the towing vehicle. The figures shall be in a contrasting color to the background of the vehicle. Hearses, busses, bustrailers, ambulances and vehicles described in ORS 481.225 are exempt from the provisions of this section.

(2) A person who violates this section commits a Class C traffic infraction. [1959 c.152 §12; 1961 c.255 §1; 1975 c.451 §192]

481.260 Issuance and display of temporary permits. (1) (a) Persons designated by the division under ORS 481.105 to accept applications for the registration of vehicles are authorized to issue temporary permits for the operation of vehicles or the transporting of a camper pending the receipt of permanent license plates from the division. Forms for such temporary permits shall be prescribed and furnished by the division. Except as provided in paragraph (b) of this subsection, temporary permits shall be such as may be affixed to the glass windshield of a motor vehicle and they shall not be valid unless so affixed at the time of issuance.

(b) In the event the vehicle is a moped, motorcycle, trailer or semitrailer, temporary permits shall be valid when fastened thereto in plain sight or carried in the tool box or other convenient receptacle attached to the vehicle.

(2) The temporary permits shall bear consecutive numbers, and shall show the name and address of the owner, description of the vehicle or camper, date of issuance and any other information considered necessary by the division. The person who issues the permit shall forward promptly to the division one copy of each permit issued and shall retain one copy in his office for not less than 90 days.

(3) Temporary permits are to remain on and upon the vehicle only during the period of such registration and until the receipt of the permanent license plates.

(4) A person who violates any provision of this section commits a Class B traffic infraction. [Amended by 1959 c.282 §1; 1961 c.56 §2; 1963

c.405 §9; 1965 c.18 §1; 1967 c.515 §4; 1969 c.605 §37; 1975 c.451 §193; 1979 c.871 §8]

481.265 Size, color, design, material and contents of plates; renewal stickers authorized. (1) The division shall select number or identification plates with a marked contrast between the color of the plates and that of the numerals, letters or characters thereon. If identification plates are issued, means shall be provided for identifying the vehicle from the front and rear by means of characters or numerals.

(2) The number or identification plates shall be made in such size, form and arrangement and of such materials as shall be determined by the division. All plates shall be made with a reflective material, so as to be a fully reflectorized safety plate. The reflectorized material shall be of such a nature as to provide effective dependable brightness in the promotion of traffic safety during the service period of the plate issued. All number or identification plates shall contain the distinctive number or characters assigned to the vehicle, the word "Oregon" and the registration period for which the license is issued.

(3) The division may designate number or identification plates for any registration period as the proper means of identifying the vehicle for subsequent registration periods. These plates shall be validated by a sticker of such size, color and design and displayed as the division shall direct. The sticker shall bear a distinctive number and the registration period for which it is issued. After this period it shall be unlawful to further display it on the vehicle.

(4) A person who violates any provision of this section commits a Class D traffic infraction. [Subsection (4) of 1961 Replacement Part enacted as 1959 c.15 §2; 1963 c.493 §1; 1973 c.81 §1; 1973 c.727 §7; 1975 c.451 §194]

481.270 Registration fees as substitute for taxes on vehicles; registered mobile homes subject to property tax. (1) Except as provided in subsection (2) of this section and ORS 481.272, the registration and license fees imposed by this chapter upon vehicles, and upon the owners thereof by reason of such ownership, are in lieu of all other taxes and licenses, except municipal license fees under regulatory ordinances, to which such vehicles, or the owners thereof by reason of such ownership, may be subject.

(2) Mobile homes registered under this chapter shall be subject to assessment and taxation under the ad valorem tax laws of this state. [Amended by 1953 c.607 §2; 1959 c.197 §1; 1959 c.417 §1; 1959 c.683 §25; 1965 c.86 §1; 1969 c.605 §38; 1971 c.529 §2; 1973 c.402 §27; 1975 c.681 §7; 1979 c.379 §6a; 1979 c.692 §8]

481.272 Fixed load vehicles subject to ad valorem taxation. (1) Fixed load vehicles are not exempted from ad valorem taxation by ORS 481.270.

(2) As used in this chapter, "fixed load vehicles" means vehicles with or without motive power, that are neither designed nor used primarily for the transportation of persons or property over public highways or streets. As used in this subsection, "property" does not include a permanent load in the form of any equipment or appliance constructed as a part of or permanently attached to the body of the vehicle nor does "property" include any equipment or appliance that is ordinarily kept on or in the vehicle in order that the vehicle may be used for its primary purpose.

(3) For the purposes of this section, "fixed load vehicles" include air compressors, air drills, asphalt plants, asphalt spreaders, bituminous plants, bituminous mixers, bituminous spreaders, bucket loaders, cement batch plants, cement mixers (other than transit mix), cement spreaders, carryalls, crawler cranes, crushers and crushing plants, diggers and ditchers, power units and plants, earthmoving scrapers, electric generating equipment, electric load-bank and wiring equipment, lighting plants and portable wiring, front-end loaders, scoopmobiles, payloaders, skip hoists, power hoists, road graders, motor graders, leveling graders, stackers, hoists, towermobiles, pavement finishers (bituminous and cement), power shovels, back hoes, drag lines, mixmobiles, portable shops, portable parts and storage bins, portable bins, portable storage tanks, fork lift trucks, athey wheels, log loaders, yarders, welders, road rollers, sheepsfoot rollers, paving mixers, elevator equipment, tractors other than truck tractors (wheeled and crawler), traction engines, bituminous and cement finishing machines, scarifiers and rooters, vibro screens, rotary screens, scrubber screens, sand classifiers and drags, plate feeders, apron feeders, scrap metal bailers, grain grinders, grain rollers, sawmills and special construction equipment. The enumeration in this subsection merely illustrates some of the vehicles that are included within the

term "fixed load vehicles" and shall not operate to exclude other vehicles that are within the purview of the term "fixed load vehicles" as defined in subsection (2) of this section.

(4) As used in this section, "fixed load vehicles" do not include mobile homes, travel trailers, tow cars (including tow cars with cranes, hoists or dollies), truck-mounted transit mixers, or self-propelled mobile cranes.

(5) Nothing in this section is intended to authorize or require the registration or licensing of fixed load vehicles under this chapter unless such fixed load vehicles are otherwise authorized or required by this chapter to be so registered or licensed. [1959 c.417 §3; 1961 c.539 §2; 1963 c.405 §10; 1965 c.398 §7; 1969 c.605 §39]

481.275 [Amended by 1953 c.607 §2; repealed by 1963 c.162 §3]

481.280 Replacing lost title certificate or registration card. When proof satisfactory to the division, of the loss, mutilation or destruction of a certificate of title or registration card is presented to the division upon forms furnished by the division, a duplicate may be issued for the following charge:

(1) For a certificate of title, $7.

(2) For a registration card, $2. [Amended by 1979 c.322 §5]

481.285 Customized license plates; fee. The Motor Vehicles Division of the Department of Transportation is authorized to issue customized license plates upon the request of vehicle, moped or motorcycle owners. Such license plates shall meet the requirement for identification plates prescribed in ORS 481.230. For each set of customized license plates so issued the Motor Vehicles Division shall annually collect the sum of $25 in addition to any other license fees required by law. [1971 c.211 §2; 1977 c.655 §1; 1979 c.871 §9]

481.290 Environmental Quality Information Account; use of moneys in account for litter cleanup programs. There is established in the General Fund of the State Treasury the Environmental Quality Information Account. All moneys heretofore or hereafter received by the Division of Motor Vehicles as provided in ORS 481.285 shall be paid to the credit of this account after the division has deducted the expenses of administering ORS 481.285. All moneys so credited to this account are continuously appropriated for use by the Department of Transportation for the payment of expenses heretofore or hereafter incurred in administering a program aimed toward prevention and cleanup of litter. The program may include public informational activities, but shall be directed primarily toward encouraging and facilitating involvement of youth in litter prevention and cleanup work. [1971 c.211 §3]

481.295 Issuance of special interest number plates. (1) As used in this section, "motor vehicle of special interest" has the meaning given that term by paragraph (c) of subsection (6) of ORS 481.205.

(2) The owner of a motor vehicle of special interest may apply to the division for permission to use special interest number plates. The owner of a motor vehicle of special interest shall supply the special interest number plates which he desires to use, and shall inclose these special interest number plates with the application for permission to use them.

(3) The division shall, prior to approval of an application under this section, determine that the special interest number plates meet the following requirements:

(a) The special interest number plates shall have been issued by the State of Oregon for use on motor vehicles in the State of Oregon.

(b) The numbers and characters on the special interest number plate shall be distinctive.

(c) The special interest number plates shall be legible, durable and otherwise of a size, shape, color and design which will serve the purposes of safety and identification.

(4) If the special interest number plate offered for approval was issued in a year in which single number plates only were required, the division shall grant permission for use of that number plate alone if it is otherwise acceptable. [1975 c.670 §3]

DEALER'S BUSINESS AND VEHICLE LICENSES; WRECKER'S LICENSES

481.300 Advisory committee on dealer licensing; membership; duties; compensation. (1) The administrator of the division shall establish an advisory committee on dealer licensing. The committee shall advise the division on the administration of laws regulating dealers under this chapter.

(2) The division shall consult with the committee before adoption of rules under ORS

481.340 or before any disciplinary action is taken against a dealer under that section.

(3) The members of the committee shall be appointed by the administrator and shall serve at the pleasure of the administrator. The administrator shall appoint members that represent dealers and members that represent the interests of the general public in the ownership, purchase and use of vehicles.

(4) The members shall serve without compensation or expenses for services performed.
[1979 c.518 §12c]

481.305 Procedure for obtaining a license to carry on business of buying and selling vehicles. (1) Except as provided in ORS 481.312 and 481.345, no dealer shall buy, sell, trade, take on consignment, or in any other manner deal in new or used motor vehicles, trailers or semitrailers unless he has a license from the division authorizing him to do so. Such license shall be furnished annually by the division, and shall run from January 1 of each year.

(2) Except as provided in ORS 481.312 and 481.345, any dealer desiring to buy, sell, trade, take on consignment, or in any other manner deal in new or used motor vehicles, trailers or semitrailers shall apply for a license therefor upon a form to be prescribed and furnished by the division. The application shall be verified by the applicant, and shall contain:

(a) A full statement of the names of the persons applying, with their residence and business addresses.

(b) If the applicant is a firm or partnership, the name of the firm or partnership, with the names and places of residence of all members thereof.

(c) If the applicant is a corporation, the names of the principal officers and their residences, the name of the state under whose laws the corporation is organized, and the location of the places at which such business is to be carried on and conducted.

(d) Other relevant information required by the division.

(3) With such application, the applicant shall:

(a) Pay to the division a license fee of $5.

(b) Deliver to the division a bond complying with ORS 481.310.

(4) A person who violates any provision of this section commits a Class A misdemeanor.
[Amended by 1955 c.245 §1; 1955 c.697 §3; 1963 c.33 §1; 1975 c.451 §195; 1977 c.674 §2]

481.310 Dealer's bond. (1) The bond mentioned in paragraph (b) of subsection (3) of ORS 481.305 shall have a corporate surety licensed to do business within this state. The bond shall be executed to the State of Oregon in the sum of $15,000, unless the applicant desires to engage in the business of buying, selling or dealing exclusively in motorcycles or mopeds, in which case the sum shall be $2,000. It shall be approved as to form by the Attorney General, and be conditioned that the applicant, if a license is issued to the applicant, shall conduct business as a dealer without fraud or fraudulent representation and without violating any of the provisions of this chapter.

(2) If any person suffers any loss or damage by reason of the fraud, fraudulent representations or violation of any of the provisions of this chapter by a licensed dealer, the person has a right of action against such dealer and a right of action in the person's own name against the surety upon the bond.

(3) All bonds given under the provisions of paragraph (b) of subsection (3) of ORS 481.305 shall be filed and held in the office of the division. If the bond is canceled by legal notice, the license of the dealer shall be canceled immediately by the division. If the license of a dealer is not renewed or is voluntarily, or involuntarily canceled, the sureties on the bond shall be relieved from liability accruing subsequent to such cancellation by the division.

(4) A person who violates any provision of this section commits a Class A misdemeanor.
[Amended by 1955 c.217 §1; 1959 c.328 §1; 1963 c.33 §2; 1975 c.451 §196; 1979 c.518 §12; 1979 c.871 §10a]

481.312 When dealer's license and bond required of manufacturer of vehicles. (1) Except as otherwise provided in this section, a manufacturer may sell or trade motor vehicles, trailers and semitrailers that he has manufactured in Oregon without obtaining the license and procuring the bond required by ORS 481.305 and 481.310. However, a manufacturer may obtain a dealer's license by complying with the provisions of ORS 481.305 to 481.340 relating to the issuance of dealers' licenses.

(2) A manufacturer may sell or trade campers, mobile homes or travel trailers only

if he is licensed and registered as a dealer.
[1955 c.697 §6; 1957 c.365 §2; 1959 c.683 §30; 1969 c.605 §40]

481.315 Issuance of dealer's license; supplemental licenses and records required of dealers; inspection of records. (1) A license certificate shall be issued by the division in accordance with an application, if it is regular in form and complies with ORS 481.305 and 481.310. The division has power to make suitable rules and regulations for the issuance of such licenses to expire on December 31 of the year for which the license is issued.

(2) Any licensed dealer shall, before removing any of his places of business, or opening any additional places of business, apply to the division and obtain a supplemental license. No fee shall be charged for a supplemental license applied for by a licensee removing or opening an additional place of business that is to be operated under the same business name as indicated in the license issued to the licensee under subsection (1) of this section. However, any licensee removing or opening an additional place of business that is to be operated under a different business name than indicated in the license issued to the licensee under subsection (1) of this section shall make application and pay the fee required for a regular license certificate in compliance with ORS 481.305 and 481.310.

(3) Every such licensee shall keep a record or book in which he shall keep a record of the purchase, sale, or exchange or receipt for the purpose of sale of any secondhand vehicle, including a description of such vehicle, together with the name and address of the seller, the purchaser and the alleged owner or other person from whom such vehicle was purchased or received, or to whom it was sold or delivered, as the case may be. Such description, in the case of motor vehicles, shall include the vehicle identification number and such other numbers or identification marks as may be thereon, and a statement that a number has been obliterated, defaced or changed, if such is a fact. In the case of a trailer or semitrailer, the record shall include the vehicle identification number, and such other numbers or identification marks as may be thereon. A licensee dealing in used vehicles shall also have in his possession a duly assigned certificate of title or bill of sale from the registered owner of the motor vehicle, trailer or semitrailer from the time when the vehicle is delivered to him until it has been disposed of by him.

(4) The division shall inspect, at reasonable intervals, during normal business hours, the records required by subsection (3) of this section and vehicles included in the inventory or located on the premises of a dealer as defined in ORS 481.015. The inspections shall be limited in scope to that necessary to determine compliance with dealer licensing, vehicle title and registration provisions of this chapter and rules adopted by the division, and for the purpose of identifying stolen vehicles.

(5) A police officer may, during normal business hours, inspect the records required by subsection (3) of this section and vehicles included in the inventory or located on the premises of a dealer as defined in ORS 481.015. The inspections shall be limited in scope to that necessary to determine compliance with dealer licensing, vehicle title and registration provisions of this chapter and rules adopted by the division, and for the purpose of identifying stolen vehicles.

(6) A person who violates any provision of this section commits a Class A misdemeanor.
[Amended by 1963 c.433 §1; 1975 c.209 §7; 1975 c.451 §197; 1977 c.674 §3]

481.320 Registration of dealers and dealers' vehicles. (1) Every dealer shall be registered with the division as such. The application for a dealer's registration, accompanied by the proper fee as prescribed in ORS 481.325, shall be forwarded to the division. It shall be on blanks furnished by the division and must show:

(a) Name under which business is conducted.

(b) Location of business (state, city and county).

(c) Name and address of all owners or persons having an interest in the business; in the case of a corporation, the name and address of the two principal officers will be sufficient.

(d) Name and make of all vehicles handled.

(e) Whether or not used vehicles are handled.

(f) A certificate to the effect that the applicant is a bona fide dealer in motor vehicles, trailers or semitrailers, with an established motor vehicle, trailer or semitrailer business at the location given.

(g) Other information required by the division to efficiently administer this chapter.

(2) The certificate required by paragraph (f) of subsection (1) of this section shall be signed by the chief of police or marshal of the city, or by the sheriff or deputy sheriff of the county, within which the applicant has his place of business.

(3) Upon receipt of the application the division shall examine it, and may make an individual investigation relative to statements contained in the application.

(4) Upon being satisfied that the dealer is entitled to registration and that the proper fees therefor have been paid, the division shall assign to such dealer a distinctive registration number and shall file his application and index it alphabetically under the name designated in the application, and also numerically.

(5) Upon the assignment of a registration number to a dealer, he is to be considered as registered. Registration shall be renewed annually by each dealer on or before December 31.

481.325 Dealer's fees, certificates and plates. (1) Each dealer shall pay to the division an annual registration fee of $65 and for each established place of business to be operated under the same name, a fee of $30. When a dealer is registered, the division shall forward to such dealer a registration certificate stating thereon the registration number of the dealer, and authorizing the use and operation over and along the highways of this state of all motor vehicles, trailers and semitrailers, except mobile homes actually owned or controlled by such dealer and in actual use by the dealer, the members of the dealer's firm, any salesman thereof or any person authorized by the dealer. All movements of mobile homes by dealers shall be by trip permit under ORS 481.177. Any vehicles operated under dealer's license plates may be used for the same purposes as are any other vehicles registered in this state for any fee as prescribed in paragraph (b) of subsection (1) of ORS 481.210. Any such vehicles operated under dealer's license plates issued by this state or any other state, country, province, territory or the District of Columbia shall be subject to the provisions of ORS 481.155 or 481.162.

(2) No motor vehicle, trailer or semitrailer operated under a dealer's license shall be loaned or rented with or without driver for hire or direct compensation.

(3) The division shall furnish to each dealer who is registered, one dealer's license plate, each with a number corresponding to the number of the certificate of registration, together with such other distinguishing marks as the division deems necessary. The dealer may obtain as many duplicate number plates as may be desired upon the filing of formal application therefor with the division and the payment of $10 for each duplicate, except that moped or motorcycle dealers shall pay only $3 for each duplicate.

(4) Such number plates shall be displayed in the manner provided in this chapter upon each unregistered motor vehicle, trailer and semitrailer owned or controlled by the dealer when in operation over and along the highways of this state.

(5) A person who violates any provision of this section commits a Class B traffic infraction. [Amended by 1953 c.54 §3; 1959 c.670 §1; 1971 c.529 §22; 1973 c.91 §7; 1973 c.727 §8; 1975 c 451 §198; 1977 c.674 §4; 1979 c.871 §11]

481.330 Use of dealer's plates in other branches or on unauthorized vehicles. (1) The dealer's certificate of registration, license plates and duplicate sets of license plates do not apply to dealer branches or agencies located in other cities. No dealer or employe of such dealer shall cause or permit the display or use of any number plate or certificate of registration which was furnished to such dealer under the general distinguishing number or symbol, except upon motor vehicles, trailers and semitrailers owned or controlled by such dealer.

(2) A person who violates this section commits a Class C traffic infraction. [Amended by 1975 c.451 §199]

481.335 Use of windshield permits to move vehicles; mobile home movements excepted. (1) When it becomes necessary for a registered dealer to move any motor vehicle, trailer or semitrailer owned or consigned to him, or otherwise controlled by him, but not registered under any of the provisions of this chapter, he may operate such vehicle over such public highways as are necessary for the purpose without first registering the vehicle or affixing thereto any registration number plates. However, in such event he shall first obtain for each such vehicle a written permit, for windshield application, from the sheriff of the county, or the chief of police or marshal of the incorporated city, in which such vehicle is then located, or from the division. A fee of $1

shall be paid for each permit, to the issuing official. The form of such windshield permits and applications therefor shall be prescribed and prepared by the division.

(2) Such permit is for identification and shall be carried in plain view on the windshield of the motor vehicle, or if issued for a trailer or semitrailer, it shall be placed in plain view on the windshield of the motor vehicle towing said trailer or semitrailer during the operation thereof. It shall expire five days after the date of issuance.

(3) This section does not apply to movements of mobile homes.

(4) A person who violates any provision of this section commits a Class C traffic infraction. [Amended by 1967 c.85 §1; 1971 c.169 §2; 1971 c.529 §23; 1975 c.451 §200]

481.340 Regulation of dealers by division; revocation of dealer's certificate of registration. (1) The division may adopt any reasonable rules necessary for the administration of the laws relating to dealer's licenses and registration and for the regulation of dealers consistent with the requirements of this chapter. The rules may include but are not limited to grounds and procedures for the revocation, denial or suspension of licenses and certificates of registration and for placing dealers on probationary status.

(2) In addition to any authority of the division under subsection (1) of this section, the division may revoke the registration and recall and demand the return of the certificate of registration and general distinguishing number or symbol of any dealer licensed under this chapter to whom a general distinguishing number has been assigned if the division determines at any time for due cause that the dealer:

(a) Has failed to comply with the requirements of this chapter with reference to notices or reports of transfer of vehicles;

(b) Has moved or caused a mobile home to be moved without first complying with the requirements of subsection (2) of ORS 481.177; or

(c) Has caused or suffered or is permitting the unlawful use of the certificate or registration plates.

(3) After notice of revocation and recall by the division under subsection (2) of this section, a dealer shall without further demand return to the division the certificate of registration and all number plates that have been furnished to the dealer under the revoked certificate. [Amended by 1971 c.529 §30; 1979 c.518 §12a]

481.345 Wrecker's license; application; supplemental license. (1) Unless the person has applied for and received a license from the division, no person shall carry on or conduct, in whole or in part, the business of buying, selling or dealing in vehicles of a type required to be licensed under the laws of this state, for the purpose of wrecking, dismantling, disassembling and offering for sale the used vehicle components thereof.

(2) Unless the person has applied for and received a license from the division, no person shall carry on or conduct, in whole or in part, the business of buying, selling or dealing in vehicles of a type required to be licensed under the laws of this state, for the purpose of wrecking, dismantling, disassembling or substantially altering the form of any motor vehicle, or carry on or conduct, in whole or in part, the business of selling at wholesale wrecked, dismantled, disassembled or substantially altered motor vehicles of a type required to be licensed under the laws of this state or engage in the activity of wrecking, dismantling, disassembling or substantially altering motor vehicles of a type required to be licensed under the laws of this state, including a person engaged in crushing, compacting or shredding of vehicles. The license shall be furnished annually on January 1 of each year by the division, and shall be renewable upon application to the division. No new business of the type above described shall be established within 1,100 feet of the nearest edge of the right of way of any state highway, as defined in ORS 366.005, after June 30, 1967, except the following:

(a) A business that is hidden or adequately screened by the terrain or other natural objects, or by plantings, fences or other appropriate means, so as not to be visible from the main traveled way of the highway, in accordance with rules promulgated by the State Highway Engineer or a duly authorized representative of the highway engineer.

(b) A business located in an area zoned for industrial use under authority of the laws of this state.

(3) Application for the license mentioned in subsections (1) and (2) of this section shall be upon a form prescribed and furnished by the division, verified by the applicant, and containing:

(a) A full statement of the name of the person applying therefor, with his residence and business addresses;

(b) If the applicant is a firm or partnership, the name of the firm or partnership, with the names and places of residence of all its members;

(c) If the applicant is a corporation, the names of the principal officers and their residences, the name of the state under whose laws the corporation is organized;

(d) A description of the dimensions and the location of the place or places at which such business is to be carried on and conducted;

(e) A certification that the right of way of any highway adjacent to the licensed area is utilized for ingress and egress and public parking; and

(f) Other relevant information required by the division.

(4) Any person licensed under this section shall, before expanding the dimensions or removing any of his places of business, or opening any additional places of business, apply to the division and obtain a supplemental license, for which no fee shall be charged, but for which there shall be compliance with paragraph (b) of subsection (1) of ORS 481.350.

(5) A failure to supply the certification requested by paragraph (e) of subsection (3) of this section or a violation of the requirements of the certification required by paragraph (e) of subsection (3) of this section shall be grounds for revocation of the applicant's license by the division.

(6) Nothing in subsection (1) of this section requires an insurance adjuster authorized to do business under ORS 744.505 or 744.515 to be licensed to dispose of vehicles for salvage. [Amended by 1961 c.524 §1; 1967 c.590 §16; 1971 c.371 §2; 1973 c.811 §2; 1975 c.417 §1; 1977 c.509 §1; 1977 c.610 §1a; 1979 c.186 §25]

481.347 Approval by affected city or county required. A license shall not be issued upon application submitted to the division under ORS 481.345 unless the application is first approved by the city council, if the business is or will be carried on within an incorporated city of less than 100,000 population, or by the county court or board of county commissioners, if the business is or will be carried on outside of any incorporated city. Upon the request of the applicant, the application shall be approved by the city or county if the location of the business complies with the regulations provided by ORS 481.345 and 481.370, and with the regulations applicable to the location adopted by the city or county pursuant to ORS 481.353. [1971 c.371 §4]

481.350 Wrecker's fee and bond; city or county recommendation and site approval; renewal applications. (1) With the application required by ORS 481.345 the applicant shall:

(a) Pay to the division an annual license fee of $20 if application is made before July 2; otherwise a license fee of $10.

(b) Deliver to the division a written recommendation executed by the city council, if the business is or will be carried on within an incorporated city of less than 100,000 population, or by the county court or board of county commissioners if the business is or will be carried on outside of any incorporated city, as to the suitability of the applicant to establish, maintain or operate such yard or business and to receive a license therefor.

(c) Deliver to the division the approval of the appropriate city or county of the location of the business as provided by ORS 481.347.

(d) Deliver to the division a bond with a corporate surety licensed to transact business within this state.

(2) The bond required by paragraph (d) of subsection (1) of this section shall be executed to the State of Oregon in the sum of $2,000, be approved as to form by the Attorney General, and be conditioned that the applicant, if a license is issued to the applicant, shall conduct business without violating ORS 481.345, 481.355, 481.430 or 481.435.

(3) Upon application to renew a license or upon application for a supplemental license, the division may waive compliance with paragraph (b) of subsection (1) of this section.

(4) Any person suffering any loss or damage by reason of the violation of ORS 481.345, 481.355, 481.430 or 481.435 by a person licensed under ORS 481.355, shall have a right of action against such person and the surety upon such person's bond. [Amended by 1955 c.217 §2; 1961 c.524 §2; 1971 c.371 §1; 1973 c.811 §3; 1977 c.674 §5; 1979 c.518 §13]

481.353 Cities and counties may regulate expansion or location of wrecking businesses; establishing zones; jurisdiction. (1) A city council of a city or a county

court or board of county commissioners of a county may regulate the expansion of the premises, or the establishment at a new location, of businesses required by ORS 481.345 to be licensed. In enacting such regulations, the city or county:

(a) Shall consider the extent of development of surrounding property as a residential area; the proximity of churches, schools, hospitals, public buildings or other places of public gathering; the sufficiency in number of other such yards or businesses in the vicinity; and the health, safety and general welfare of the public; and

(b) May establish zones in which such businesses are permissible and other zones where they are prohibited and may prescribe limitations on the dimensions of the premises on which such businesses are conducted.

(2) Regulations of a city council adopted in accordance with subsection (1) of this section apply to businesses located outside of and within six miles of the boundaries of the city unless the county court or board of county commissioners of the county in which the area is located has adopted regulations under this section that are applicable in the area. [1971 c.371 §5]

481.355 Issuance of wrecker's license certificate and plates. (1) A license certificate shall be issued by the division in accordance with the application provided for in ORS 481.345 if the application is regular in form and complies with the provisions of ORS 481.345 and 481.350. The certificate shall be permanently exhibited at the place of business of the applicant at all times while the license is in force.

(2) (a) Except as provided in paragraph (b) of this subsection, upon payment of the fee prescribed in subsection (2) of ORS 481.210, the division shall issue license plates with a number corresponding to the wrecker's registration number together with such distinguishing marks as the division deems necessary for the operation of all vehicles owned or operated by a person licensed under subsection (1) of this section in the conduct of his business.

(b) Private passenger cars owned or operated by a person licensed under subsection (1) of this section in the conduct of his business shall be exempt from the provisions of this subsection.

(c) Notwithstanding ORS 481.202, a motor vehicle bearing license plates issued under paragraph (a) of this subsection may tow, move or otherwise operate an unlicensed motor vehicle for the purpose of transport to a business licensed under subsection (1) of this section. Additionally, the business shall be issued additional license plates pursuant to paragraph (a) of this subsection for the purpose of transporting operable motor vehicles to such business. [Amended by 1955 c.245 §2; 1961 c.524 §3; 1963 c.44 §1; 1973 c.811 §4; 1975 c.261 §1]

481.360 Wrecker to keep records and evidence of ownership; inspection of records. (1) Every person licensed under ORS 481.355 shall keep a record at his established place of business in which he shall keep a record and description of every motor vehicle purchased, transferred, wrecked, dismantled, disassembled or substantially altered by him, together with the name and address of the person to or from whom the vehicle was transferred. The description shall include the vehicle identification number and such other numbers or identification marks as may be thereon, and a statement that a number has been obliterated, defaced or changed if such is a fact.

(2) Except as provided in ORS 481.444 a person licensed under ORS 481.355 shall have in his possession a duly assigned certificate of title, or notification of award of purchase, for the motor vehicle from the time the vehicle is delivered to him until it is disposed of in accordance with ORS 481.430 and 481.435.

(3) A police officer may, at any time, inspect the books, records and inventory of, and premises used by, any business licensed under ORS 481.355 for the purpose of determining whether this chapter and rules adopted by the division are being complied with. Every business licensed under ORS 481.355 shall be inspected not less than two times each year. As used in this subsection "police officer" has the meaning given that term by ORS 484.010. [Amended by 1961 c.524 §4; 1973 c.811 §5; 1975 c.209 §8]

481.365 [Repealed by 1963 c.44 §2 (481.366 enacted in lieu of 481.365)]

481.366 Revocation, cancellation or suspension of wrecker's license. If the division determines at any time for due cause that any person licensed under ORS 481.355 has failed to comply with the requirements of this chapter or has caused or suffered or is permitting the unlawful use of the license certificate, the division may revoke the license

and recall and demand the return of the license certificate. If the bond given under ORS 481.350 is canceled by legal notice, the license issued pursuant to ORS 481.355 shall be canceled or suspended immediately by the division. [1963 c.44 §3 (enacted in lieu of 481.365); 1973 c.811 §6]

481.370 Conduct of wrecking business. (1) All persons licensed under ORS 481.345 shall confine such business within a building or within an inclosure or other barrier at least six feet in height constructed, established or formed in compliance with rules and regulations promulgated by the Department of Transportation.

(2) If such business is located in an area zoned for industrial use under authority of the governmental unit in which it is situated, motor vehicle parts or nonoperating vehicles offered for sale and display outside the inclosure or barrier shall occupy a single defined area limited to five percent of the total area of the business; but in no case shall this area requirement allow the display of more than eight vehicles. Such persons shall at all times keep the premises on the outside of the establishment clear and clean. All wrecking, dismantling and altering of vehicles shall be confined within the building or within the inclosure or barrier.

(3) If such business is located in an area zoned for any use other than industrial under authority of the governmental unit in which it is situated, the premises outside the establishment shall at all times be kept clear and clean. All wrecking, dismantling and altering of vehicles, and all vehicle parts, shall be confined or stored within the building or within the inclosure or barrier, except that not more than four vehicles may be offered for sale outside of the building, inclosure or barrier. [Amended by 1953 c.33 §2; 1961 c.524 §5; 1973 c.811 §7; 1975 c.417 §2]

TRANSPORTER'S PERMITS

481.380 Definitions for ORS 481.380 to 481.400. As used in ORS 481.380 to 481.400:

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

(2) "Motor vehicle" means any vehicle subject to registration under this chapter, but does not include motor vehicles lawfully operated with dealer's number plates furnished under ORS 481.325, with dealer's windshield permits issued under ORS 481.335 or with license plates issued under ORS 481.355.

(3) "Motor vehicle transporter" means any person regularly engaged in the business of transporting motor vehicles over the highways of this state.

(4) "Transport" means to drive or tow over the highways of this state a motor vehicle on its own wheels from outside this state or from manufacturers or dealers within this state to a prospective purchaser, manufacturer or dealer, or agent of a purchaser, prospective purchaser, manufacturer or dealer, in this or any other state, territory or foreign country. [1955 c.668 §2; 1975 c.261 §2]

481.385 Motor vehicle transporter's permit and transit plate; when required. (1) No person shall transport any motor vehicle over the highways of this state without being the holder of a valid permit issued under ORS 481.390.

(2) No person shall transport any motor vehicle over the highways of this state without displaying conspicuously the plate or device referred to in ORS 481.395 on the rear of each motor vehicle being transported.

(3) A person who violates this section commits a Class C traffic infraction. [1955 c.668 §3; 1967 c.31 §1; 1975 c.451 §201]

481.390 Issuance of permit. (1) Every motor vehicle transporter shall annually make application for a motor vehicle transporter's permit to the division.

(2) Upon payment of a fee of $25, the division shall issue to the applicant an annual motor vehicle transporter's permit. A motor vehicle transporter's permit expires on December 31 of the year in which it was issued.

(3) No transporter shall be issued a permit under this section to transport a mobile home to a situs within this state unless the mobile home is to be transported from its place of manufacture to the place of business of a mobile home dealer registered under ORS 481.320. Any transporter transporting a mobile home to or from a situs in this state which is not a movement from a place of mobile home manufacture to the place of business of a mobile home dealer registered under ORS 481.320 must obtain a trip permit under ORS 481.177. [1955 c.668 §4; 1971 c.529 §24]

481.393 Revocation of permit; return of transit plates required. If the division determines that any motor vehicle transporter

has transported mobile homes without first complying with subsection (3) of ORS 481.390, the division may revoke the permit issued under ORS 481.390, and may demand and require the person issued the permit to return all transit plates issued under ORS 481.395 to the division. [1971 c.529 §28]

481.395 Issuance of transit plate; use; fee. (1) The holder of a valid motor vehicle transporter's permit may also apply to the division for issuance of a sufficient number of distinctive transit plates or devices. One transit plate or device shall be issued for a vehicle. Each plate or device shall bear the holder's permit number and any other designation or mark necessary to distinguish one plate or device from another or otherwise deemed necessary by the division.

(2) The plate or device issued under subsection (1) of this section may be used on any motor vehicle being transported under the control of the permit holder; however, no plate or device shall be used on any mobile home which requires a trip permit under ORS 481.177. The plate shall not be loaned to or used by any person other than the holder of the permit or his employes.

(3) The division shall collect an annual fee of $5 for each transit plate or device applied for and issued.

(4) A person who violates this section commits a Class C traffic infraction. [1955 c.668 §5; 1967 c.31 §2; 1971 c.529 §25; 1975 c.451 §202]

481.400 Fees under ORS 481.390 and 481.395 are in addition to other fees. The fees provided in ORS 481.178, 481.390 and 481.395 are in addition to any fees now payable by motor carriers under ORS chapter 767. [1955 c.668 §6; 1971 c 529 §26]

TRANSFER AND ALTERATION OF VEHICLES

481.405 Transfer of ownership in registered vehicles; creation or termination of leasehold interest; purchase and sale by dealer. (1) The division shall design the certificate of title for motor vehicles, trailers and semitrailers issued a certificate of title under this chapter. The certificate shall provide space to fill in information required by the division for a transfer under this section. To transfer title or any interest in a motor vehicle, trailer or semitrailer issued a certificate of title under this chapter, the transferor shall sign the certificate and fill in any information required by the division in the appropriate places on the certificate. The transferee shall, within 30 days after the transfer, present the certificate to the division, accompanied by a fee of $7, whereupon a new registration card shall be issued and delivered to the transferee. A new certificate of title shall also be issued to the transferee and delivered to the first security interest holder in order of priority, if any, otherwise, to the transferee.

(2) If the transferee is a licensed dealer, the transferor shall merely indorse the certificate of title, and the dealer shall not be required to present such certificate of title to the division until the dealer transfers the vehicle. However, the dealer immediately shall notify the division that the vehicle has been transferred to the dealer. Upon the transfer of the vehicle by the dealer, the dealer shall deliver to the transferee the assigned certificate of title received by the dealer and do the things required of a transferor as provided in subsection (1) of this section. The transferee, unless another dealer, shall sign the certificate and the transfer notice in the applicable spaces provided thereon and do the other things required of a transferee as provided in subsection (1) of this section, whereupon the division shall issue and deliver a new registration card and a new certificate of title in the manner provided in subsection (1) of this section.

(3) Upon the creation of a leasehold interest in a vehicle for which an Oregon certificate of title has been issued, the lessor and lessee shall sign and enter the date in an application space provided on the back of the certificate, which application shall indicate any unsatisfied security interest shown on the face of the certificate together with any new security interests in order of priority. The lessor or holder shall, within 30 days of the transfer, present the certificate to the division accompanied by a fee of $7; whereupon the division shall issue and deliver a new registration card to the lessee and a new certificate of title to the security interest holder first named or, if none, to the lessor.

(4) Upon the termination of a leasehold interest shown on the face of a certificate of title, the lessor shall within 30 days cause the certificate, with a fee of $7, to be delivered to the division together with satisfactory proof to the division of the termination of the lease. The division shall issue a new registration card in the name of the new owner and a

certificate of title to the security interest holder first named or, if none, to the new owner.

(5) Commercial vehicles for which Oregon certificates of title have been issued and which are operated in recognized fleets of commercial vehicles, pursuant to ORS 481.645, are exempted from the requirements of this section when the transfer involved is of a leasehold interest for the purposes herein described. In lieu of such requirements the lessee shall furnish the division satisfactory proof of the lease.

(6) A person who violates any provision of this section commits a Class B traffic infraction. [Amended by 1963 c.405 §11; 1965 c.343 §7; 1967 c.464 §1; 1973 c.666 §2; 1975 c.451 §203; 1979 c.322 §6]

481.410 Creation, satisfaction or assignment of security interest in vehicle. (1) If, after a certificate of title is issued, a security interest is created in the vehicle described in the certificate, the owner, or lessor, if there is a lease, shall sign, and enter the date, in an application space provided on the back and deliver the certificate to the person in whom the security interest was created who, within 30 days thereafter, shall sign and present the certificate with a fee of $2 to the division. In the event a prior security interest holder is in possession of the certificate of title the owner or lessor, as the case may be, shall sign and may arrange for direct delivery by the prior security interest holder to the division. The division shall, upon receiving the certificate and fee, issue a new certificate of title, note such change upon its records in order of priority and mail the certificate to the security interest holder first named on the certificate.

(2) Upon satisfaction of a security interest in a vehicle for which a certificate of title has been issued, the security interest holder affected, if in possession of the certificate of title, shall sign and date a release on the certificate and deliver it to the security interest holder next named, if any, otherwise to the lessor or, if none, to the owner. In the event the security interest holder affected is not in possession of the certificate he shall execute and date a release of his interest and deliver it to the person entitled thereto who shall promptly deliver it to the holder of the certificate of title. Within 30 days after the date of the release, the holder shall present the certificate of title and release, with a fee of $2, to the division. The division thereupon shall note the change upon its records and issue a new certificate of title to the first security interest holder then named, if any, otherwise to the lessor or, if none, to the owner.

(3) A security interest holder or lessor may, without the consent of the owner, assign his interest in a vehicle to a person other than the owner without affecting the interest of the owner or the validity or priority of the interest, but a person without notice of the assignment is protected in dealing with the security interest holder or lessor as the holder of the interest until the assignee files in accordance with ORS 79.1010 to 79.5070.

(4) A person who violates any provision of this section commits a Class C traffic infraction. [Amended by 1965 c.343 §8; 1967 c 464 §2; 1969 c.386 §4; 1975 c.451 §204]

481.412 [1965 c.343 §§10, 11; 1969 c.386 §5; 1973 c.91 §9; repealed by 1977 c.260 §1 (481.413 enacted in lieu of 481 412)]

481.413 Perfecting security interest in vehicle; application of Uniform Commercial Code. (1) As used in this section, "vehicle" and "vehicles" include a mobile home, travel trailer and camper.

(2) Except as provided in subsection (3) of this section, the exclusive means of perfecting a security interest in a vehicle covered by a certificate of title is by application for and notation of the security interest on the certificate of title in accordance with the provisions of this chapter.

(3) A security interest may not be perfected by notation of the security interest on the certificate of title if the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale. The filing provisions of ORS 79.4010 to 79.4070 shall apply to security interests in such vehicles.

(4) The rights and remedies of all persons in vehicles covered by this section shall be determined by the provisions of the Uniform Commercial Code. [1977 c.260 §2 (enacted in lieu of 481.412)]

481.415 Transfers by operation of law; transfers at death. (1) As used in subsection (2) of this section, a transfer by operation of law includes inheritance, devise, bequest, order in bankruptcy or insolvency, execution sale, repossession upon default in performance of the terms of a security agreement, or any transfers effected other than by the voluntary act of the person whose interest or title is transferred.

(2) Except as provided in subsection (3) of this section, in the event of the transfer by operation of law of the interest of an owner, security interest holder or lessor, in a vehicle for which an Oregon certificate of title has been issued, the certificate of title, if available, shall be signed upon the reverse thereof by the executor, administrator, receiver, trustee, sheriff or other representative or successor in interest of the person whose interest is so transferred, in lieu of such person. Every such representative or successor shall file with the division a notice of any transfer of any such vehicle by him, together with evidence satisfactory to the division of all facts entitling such representative or successor to make such transfer. Upon the receipt of satisfactory evidence of such facts, and a fee of $2, the division shall issue a new certificate of title and registration card. If a vehicle is repossessed, satisfactory evidence must be presented to the division that the security interest holder has given at least 10 days' notice to the owner of the vehicle, by registered mail at his last-known post-office address, of his intention to apply for certificate of title.

(3) In the event of the transfer at death of the interest of an owner in a vehicle for which an Oregon certificate of title has been issued, and if the estate of the owner is not being probated, the certificate of title, if available, shall be presented to the division together with an affidavit signed by all of the heirs of the owner stating the name of the person to whom the ownership interest has passed. If any heir has not arrived at the age of majority or is otherwise legally incapacitated, his parent or guardian shall sign the affidavit. The affidavit shall be on a form prescribed and furnished by the division. Upon receipt of the certificate of title, if available, the affidavit and a fee of $2, the division shall issue a new certificate of title and registration card. [Amended by 1965 c.343 §12; 1971 c.117 §1]

481.420 Transfer of unregistered vehicle by a dealer or manufacturer. (1) Upon the transfer, by a dealer or manufacturer, of a motor vehicle, trailer or semitrailer which is not registered and licensed as provided in this chapter, the dealer or manufacturer shall immediately file with the division, upon a blank to be furnished by the division, a notice, statement or report containing the date of the transfer, a description of the vehicle, the name and post-office address of the purchaser, lessee or other transferee, and other information respecting the vehicle required by the division. Upon such sale or transfer by a dealer or manufacturer, his distinguishing number plates shall immediately be removed from the vehicle.

(2) A person who violates this section commits a Class C traffic infraction. [Amended by 1955 c.697 §4; 1975 c.451 §205]

481.423 Transfer of certificate of title to a mobile home. (1) No certificate of title to a mobile home that is on the assessment and tax rolls of the county shall be transferred under ORS 481.405 to 481.415, unless the division is satisfied that all license fees and penalties for failure to pay license fees which were due and payable prior to January 1, 1972, are paid.

(2) No certificate of title to a mobile home that is on the assessment and tax rolls of any county shall be transferred under ORS 481.405 to 481.415 unless the division is satisfied that all taxes which were assessed after January 1, 1974, which are a lien on the mobile home or which will become a lien on the mobile home during the current calendar year are paid. Taxes not yet due shall be assessed and collected in the same manner as taxes not yet due are assessed and collected under ORS 308.865. [1969 c.605 §56; 1971 c.529 §10; 1973 c.91 §3]

481.425 Effect of tax lien on transfer of vehicle. If the ownership of a motor vehicle (as defined in ORS 319.520) subject to the lien provided for by ORS 319.700 is transferred, whether by operation of law or otherwise, no registration card or certificate of title with respect to such motor vehicle shall be issued by the division to the transferee or person otherwise entitled thereto until the division has determined that such lien has been removed.

481.427 Alteration of moped prohibited; revocation of registration. (1) No person shall alter or modify any vehicle registered in this state as a moped in any manner that will remove the vehicle from qualification as a moped under ORS 481.004.

(2) The division may revoke the registration of any vehicle as a moped if the division determines that the vehicle has been altered or modified in a manner that removes the vehicle from qualification as a moped under ORS 481.004.

(3) Violation of subsection (1) of this section is a Class C traffic infraction. [1979 c 871 §4]

481.430 Notice of wrecking of vehicles and transfer of engines or vehicles. (1) Before any person shall wreck, dismantle or disassemble any motor vehicle, or substantially alter its form, he shall give notice in writing of his intention to do so at least seven days prior to the commencement of such dismantling to the division, upon forms to be furnished by the division. Such person shall complete such dismantling within 30 days from the commencement thereof unless the vehicle is not visible from a public right of way.

(2) Upon transfer of a wrecked or dismantled vehicle by a wrecker licensed under ORS 481.355, he shall immediately file with the division, upon a form to be furnished by the division, a notice, statement or report containing the date of the transfer, a description of the vehicle, the name and address of the purchaser, and other information respecting the vehicle required by the division. [Amended by 1957 c.187 §1; 1961 c.524 §6; 1963 c.405 §12; 1975 c.209 §9; 1975 c.417 §3]

481.435 When certificate of title record is to be destroyed. (1) Any person who wrecks, dismantles or disassembles any vehicle registered under this chapter, or substantially alters its form, shall deliver or mail, within three days thereafter, to the division the registration card and certificate of title of such vehicle and the license plates. If satisfied as to the facts, the division shall cancel and retire such registration card and certificate of title.

(2) Upon the destruction of the certificate of title record of any vehicle, the division shall maintain a file disclosing the last registered owner, security interest holder or holders and lessor, if any, of such vehicle as shown by the destroyed certificate of title record, and the make, year and model of the vehicle.

(3) If the certificate of title record of any vehicle is destroyed under this section, the division shall not register or title that vehicle again unless:

(a) The division is satisfied that the original title was surrendered in error and the record canceled in error; or

(b) The vehicle is registered or titled as an assembled vehicle or reconstructed vehicle. [Amended by 1953 c.224 §4; 1961 c.524 §7; 1965 c 343 §13; 1975 c.209 §10; 1979 c.518 §14]

481.437 Definitions for ORS 481.002, 481.130 and 481.438 to 481.442. As used in ORS 481.002, 481.130, 481.438 to 481.442 and 481.990, except where the context otherwise requires:

(1) "Component" means a transmission, engine or other severable portion of a vehicle which possesses or did possess an identification number.

(2) "Identification number" means a distinguishing number assigned to a vehicle or a vehicle component by the manufacturer, the division or a police agency. [1977 c.806 §2; 1979 c 518 §14a]

481.438 Police procedure when vehicle or component has identification removed. (1) When a police officer as defined in subsection (7) of ORS 484.010 discovers a vehicle or component from which the identification number assigned to the vehicle or component has been removed, defaced, covered, altered or destroyed he may seize and hold it for identification and disposal as provided in ORS 481.437 to 481.441.

(2) The police agency having custody of the property shall have a specially qualified inspector or police officer inspect the property for the purpose of locating the identification number. If the identification number is found it shall be checked with the list of stolen vehicles maintained by the National Crime Information Center. If the identification number is not found the police agency shall apply to the division for renumbering as provided in ORS 481.442. [1977 c.806 §3]

481.439 When vehicle or component may be returned to owner; notice to owner. (1) When the property seized under ORS 481.438 is not listed as stolen by the National Crime Information Center and the identification number is established, the property shall be returned to the person from whom it was seized if:

(a) He can establish that he is the owner of the property;

(b) He executes a good and valid surety bond in an amount at least equal to the market value of the property and conditioned upon return of the property to the owner, if one can be established. The bond shall be for a period of time determined by the division; or

(c) He is licensed under ORS 481.315 or 481.355.

(2) If the person to whom the property was returned does not establish that he is the owner of the property the police agency shall make reasonable efforts to determine the names and addresses of the owner and all persons of record having an interest in the property. If the police agency is able to determine the names and addresses of the owner and such other interested persons it shall immediately notify the owner by registered or certified mail of the disposition of the property. [1977 c.806 §4]

481.440 [Amended by 1971 c.292 §2; 1975 c.209 §11; 1975 c.451 §206; repealed by 1977 c.806 §17]

481.441 When court action to recover vehicle or component necessary; auction. (1) If the identification number of property seized pursuant to ORS 481.438 is not established or if the property is reported as stolen by the National Crime Information Center the police agency having custody of the property shall, after making reasonable efforts to ascertain the names and addresses of the owner and all persons of record having an interest in the property, notify the person from whom the property was seized, and the owner and such other persons if they can be ascertained, of their right to respond within 60 days from the issuance of the notice through court action for the return of the seized property. The taking of the property, the description thereof and a statement of the rights of an owner or other persons of record having an interest in the property to respond through court action for the return of the seized property shall be advertised in a daily newspaper published in the city or county where the property was taken, or if a daily newspaper is not published in such city or county, in a newspaper having weekly circulation in the city or county, once a week for two consecutive weeks and by handbills posted in three public places near the place of seizure.

(2) If court action is not initiated within 60 days from the issuance of notice the property shall be sold at public auction by the sheriff or other local police agency having custody of the property. Property seized and held by or at the direction of the Department of State Police under ORS 481.438 shall be delivered to the sheriff of the county in which the vehicle was located at the time it was taken into custody for sale under this subsection. The sheriff or other local police agency shall, after deducting the expense of keeping the property and the cost of sale, pay all the security interests, according to their priorities which are established by intervention or otherwise at such hearing or in other proceeding brought for that purpose, and shall pay the balance of the proceeds into the general fund of the unit of government employing the officers of the selling police agency. [1977 c.806 §5]

481.442 Procedure to obtain identification number. (1) A police agency having custody of a vehicle or component for which an identification number is not established or a person to whom a vehicle or component has been returned pursuant to ORS 481.439 shall apply to the division for a vehicle or component identification number. The number shall be affixed on an appropriate place on the vehicle or component by the division or, at the discretion of the division, by the police agency having custody of the vehicle or component.

(2) Except as provided in subsection (1) of this section the division shall not assign an identification number to a vehicle or component from which the identification number assigned to the vehicle or component by the division has been removed, defaced, covered, altered or destroyed unless the vehicle or component has been inspected pursuant to ORS 481.438. [1977 c.806 §6]

481.444 Destroyed vehicles; transfer; retention; disposition of plates and title certificate. (1) When the registered owner of a destroyed vehicle, as defined by paragraph (a) of subsection (4) of this section, elects to keep the vehicle, the owner shall surrender, within 30 days from the date the damage occurred to the vehicle, to the division the license plates and certificate of title of the vehicle.

(2) When a person licensed under ORS 481.305 or 481.355 or an insurance company receives or purchases a destroyed vehicle, that person or company shall:

(a) Within 30 days of the purchase or receipt, surrender to the division the license plates and certificate of title of the vehicle unless the plates and title have otherwise been surrendered to the division under this section; and

(b) Provide any subsequent purchaser of the vehicle with a bill of sale indicating that:

(A) The vehicle is a destroyed vehicle as defined in this section;

(B) The vehicle may only be registered or titled as an assembled or reconstructed vehicle; and

(C) The certificate of title has been surrendered to the division.

(3) A destroyed vehicle shall not be retitled or registered by the division except as an assembled vehicle or reconstructed vehicle.

(4) As used in subsections (2) and (3) of this section, "destroyed vehicle" means a vehicle when:

(a) It is being dismantled with the intention of never again operating it as a vehicle; or

(b) It is damaged to the extent that the cost of labor and repair with new or remanufactured parts, as reflected by publications relied upon by the automobile repair industry, exceeds by $500 or 10 percent, whichever is greater, its market value immediately prior to the accident or occurrence as reflected in publications relied upon by financial institutions doing business in this state. As used in this paragraph, "remanufactured part" means a used part which has been restored to replacement equivalency by an industrial rebuilding technique and has an ascertainable market value. [1973 c.811 §9; 1975 c.417 §4; 1977 c.610 §2; 1979 c.518 §15]

481.448 Acquiring vehicles for salvage purposes. (1) A person who engages in crushing, compacting or shredding of vehicles, as defined in ORS 481.070, 482.030, 483.030 and 486.011:

(a) May accept vehicles as salvage material from other persons licensed under ORS 481.355.

(b) May not accept vehicles from another person who is not a licensed wrecker under ORS 481.355 unless the other person:

(A) Complies with ORS 481.430 or is in possession of a certificate of sale issued pursuant to ORS 483.390; and

(B) Displays proof of compliance or such certificate of sale to the person engaged in salvage.

(2) The person engaged in salvage may accept a copy of the Motor Vehicles Division form furnished for the purpose of establishing such proof of compliance with ORS 481.430 or the certificate of sale, as applicable, and surrender such copy or certificate to the division. Upon issuance of the Proof of Compliance Form by the division, the vehicle shall cease to be a vehicle or motor vehicle for the purposes of this chapter. [1973 c.811 §12; 1975 c.417 §5; 1979 c.518 §16]

REGISTRATION AND LICENSE FEES FOR HOUSE TRAILERS

481.450 Registration fee for travel trailers, mobile construction trailers, campers and motor homes. (1) The biennial registration fee for travel trailers, mobile construction trailers, campers and motor homes 6 to 10 feet in length is $20.

(2) The biennial registration fee for campers, mobile construction trailers and travel trailers over 10 feet in length is $20 plus $3 a foot for each foot of length over the first 10 feet.

(3) The biennial registration fee for motor homes over 10 feet in length is $40 plus $3 a foot for each foot of length over the first 10 feet.

(4) Travel trailers and mobile construction trailers are measured from the foremost point of the trailer hitch to the rear extremity of the trailer body. Campers are measured by overall length from the extreme front to the extreme rear. Motor homes are measured by overall length from front to rear extremities. Tent trailers are measured by overall length when folded for travel. [1969 c.605 §4; 1971 c.529 §4; 1973 c.727 §9; 1977 c.760 §1; 1979 c 767 §2]

481.455 [1959 c.683 §5; 1969 c.605 §41; repealed by 1971 c.529 §37]

481.460 Registration fees for mobile homes. (1) The registration fee for a mobile home is $10. This fee is payable with each change of registration.

(2) The fee for the special mobile home license referred to in ORS 481.467 is $6. [1959 c.683 §9; 1961 c.410 §1; 1969 c.605 §5; 1971 c.529 §20; 1979 c.322 §10]

481.465 [1959 c.683 §10; 1963 c.342 §1; repealed by 1969 c 605 §6 (481.466 and 481.468 enacted in lieu of 481.465)]

481.466 [1969 c.605 §7 (481.466 enacted in lieu of 481.465); repealed by 1971 c.529 §37]

481.467 Special license and license plates for moving mobile home out of state; requirements; license term limited. The owner of a mobile home who desires to move his mobile home out of this state shall furnish the division a statement from the assessor in which the mobile home has situs that all taxes have been paid. The statement shall be furnished by the assessor under ORS 308.865. After the statement is furnished to the division the division shall issue the owner

of the mobile home a special license and license plate evidencing the fact that all registration fees, license fees and ad valorem taxes due to the State of Oregon and its political subdivisions have been paid. The license shall be valid for a period of time expiring with the day to which the ad valorem taxes have been paid. [1971 c.529 §18]

481.468 [1969 c.605 §8 (481.468 enacted in lieu of 481.465); repealed by 1971 c.529 §37]

481.470 [1959 c.683 §11; 1963 c.342 §2; repealed by 1969 c.605 §9 (481.471 enacted in lieu of 481.470)]

481.471 [1969 c.605 §10 (enacted in lieu of 481.470); repealed by 1971 c.529 §37]

481.472 [1961 c.410 §§2, 3; 1963 c.405 §13; 1969 c.605 §43; repealed by 1971 c.529 §37]

481.474 Division to maintain file on each mobile home. The division shall maintain a file of each mobile home which file shall contain:

(1) The permanent identification plate number required by subsection (3) of ORS 481.105;

(2) All transfers of ownership occurring after January 1, 1972; and

(3) All movements indicated by trip permits filed with the division. [1971 c.529 §19]

481.475 [1959 c.683 §12; 1961 c.410 §4; 1967 c.481 §2; 1969 c.605 §44; repealed by 1971 c.529 §37]

481.480 [1959 c.683 §13; 1963 c.576 §43; 1969 c.605 §45; repealed by 1971 c.529 §37]

481.485 [1959 c.683 §14; 1969 c.605 §47; repealed by 1971 c.529 §37]

481.490 Fees constitute lien on mobile home. Every registration or license fee on a mobile home and any penalty added thereto, from the date on which the registration and license fees became due, shall constitute a lien upon the mobile home for which due. [1959 c.683 §15; 1969 c.605 §48]

481.500 [1959 c.683 §16, 1965 c.343 §14; 1969 c.605 §49; repealed by 1971 c.529 §37]

481.504 [1959 c.683 §27; 1969 c.605 §50; repealed by 1971 c.529 §37]

481.505 [Repealed by 1959 c.664 §30]

481.507 [1953 c.162 §1; repealed by 1959 c.664 §30]

481.508 No registration card or title certificate to be issued to transferee of mobile home until lien for fees is removed. If the ownership of a mobile home subject to any lien provided for by ORS 481.490 is transferred, whether by operation of law or otherwise, no registration card or certificate of title with respect to such mobile home shall be issued by the division to the transferee or person otherwise entitled thereto until the division has determined that such lien has been removed. [1963 c.45 §2; 1969 c.605 §51]

481.510 [Repealed by 1959 c.664 §30]

481.512 Campers, mobile construction trailers and travel trailers subject to registration and licensing exempt from ad valorem tax. Campers, mobile construction trailers and travel trailers subject to registration and licensing under ORS chapter 481 shall not be subject to ad valorem taxation except as provided in ORS 308.880, and once a camper, mobile construction trailer or travel trailer has been licensed and registered under ORS chapter 481, the owner shall continue currently to register it and have it licensed except as provided in ORS 308.880. [1969 c.605 §42; 1971 c.529 §3; 1979 c.767 §3]

481.515 [Renumbered 481.117]

481.516 Mobile home certificate of origin required. (1) The manufacturer of a mobile home shall issue a certificate of origin with each mobile home to be sold in this state. The certificate of origin shall contain the year of manufacture, the make and the manufacturer's vehicle identification number.

(2) The division shall not issue a certificate of title nor register a new mobile home without presentation of the manufacturer's certificate of origin. [1973 c.91 §2; 1975 c.209 §12]

481.520 [Repealed by 1959 c.664 §30]

481.525 [Repealed by 1959 c.664 §30]

481.530 [Repealed by 1959 c.664 §30]

481.535 [Repealed by 1959 c.664 §30]

481.540 [Amended by 1959 c.480 §5; 1959 c.481 §1; renumbered 481.950]

481.545 [Amended by 1955 c.287 §25; renumbered 481.955]

481.550 [Amended by 1955 c.287 §26; renumbered 481.960]

DRIVER TRAINING SCHOOLS

481.555 "Commercial driver training school" and "instructor" defined for ORS 481.555 to 481.580. As used in ORS 481.555 to 481.580:

(1) "Commercial driver training school" or "school" means a business or nonprofit enterprise engaged in educating and training persons, either practically or theoretically, or

both, in the driving of motor vehicles, for a consideration; however, the term does not include a business or nonprofit enterprise engaged in educating and training persons for a profession or an accredited secondary school, college or university.

(2) "Instructor" means any person, whether acting for himself as operator of a school or acting for any such school for compensation, who teaches, conducts classes of, gives demonstrations to or supervises practice of, persons in the driving of motor vehicles. [1969 c.309 §2]

481.560 License required to operate a commercial driver training school or to instruct; expiration; fees. (1) No person shall operate a commercial driver training school or act as an instructor unless licensed to do so by the division under ORS 481.555 to 481.580. The division shall issue a school license to an applicant who furnishes the required bond and proof of insurance and otherwise complies with ORS 481.555 to 481.580. The division shall issue an instructor license to an applicant who complies with ORS 481.555 to 481.580. Each license shall expire on the last day of each calendar year.

(2) Each application for an original or renewal school license shall be accompanied by a fee of $100. Each application for an original or renewal instructor license shall be accompanied by a fee of $20. The fee may not be refunded in the event any license is refused, suspended or revoked. [1969 c.309 §3]

481.565 Content of licensing regulations. (1) The administrator shall adopt regulations necessary to carry out ORS 481.555 to 481.580.

(2) The regulations shall state the requirements for a school license, which include requirements concerning manner and form of application, location, place of business, facilities, records, equipment, courses and standards of instruction, instructors, previous records of the school and instructors, financial statements, schedule of fees and charges, character of school operators and instructors, vehicle equipment and condition, inspection during reasonable business hours, and such other matters as the administrator may prescribe for the protection of the public.

(3) The regulations shall state the requirements for an instructor license, including requirements concerning manner and form of application, moral character, physical condition, knowledge of the courses of instruction, traffic laws, and safety principles and practices, driving record, driving ability, previous personal and employment record, and such other matters as the administrator may prescribe for the protection of the public. [1969 c.309 §4]

481.570 Refusal to issue or renew; suspension and revocation; notice and hearing. (1) The division may refuse to issue or renew, or may suspend or revoke a license issued under ORS 481.555 to 481.580 in any case where the division finds the applicant or licensee has violated or failed to comply with any of the provisions of ORS 481.555 to 481.580.

(2) Upon suspending, revoking or refusing to issue or renew a license, the division shall immediately notify the applicant or licensee stating the reasons for such action and affording reasonable opportunity for a hearing. No such suspension or revocation shall become effective until the licensee has been afforded a reasonable opportunity for a hearing. Upon the conclusion of such hearing, if any, the division shall take such action as may be appropriate.

(3) A suspended or revoked license shall be returned immediately to the division by the licensee. [1969 c.309 §5]

481.575 Bond required; action on bond. (1) A bond shall be furnished by an applicant for a school license or renewal. The bond shall have a corporate surety licensed to do business within the state. The bond shall be executed to the State of Oregon in the sum of $2,500. It shall be approved as to form by the Attorney General and be conditioned that the applicant, if a license is issued to him, shall conduct his business without fraud or fraudulent representation and without violating any of the provisions of ORS 481.555 to 481.580.

(2) If any person suffers any loss or damage by reason of fraud or fraudulent representation, or violation of any of the provisions of ORS 481.555 to 481.580 by the school, he has a right of action against such school and a right of action in his own name against the surety upon the bond.

(3) All bonds given under this section shall be filed and held in the office of the division. If the bond is canceled by legal notice, the license of the school shall be canceled immediately by the division. If the license of the school is not renewed, or is revoked or

canceled, the sureties on the bond shall be relieved from liability accruing subsequent to such cancellation by the division. [1969 c.309 §6]

481.580 Proof of insurance to be furnished by school licensee. Proof of insurance shall be furnished by an applicant for a school license or renewal by one of the following methods:

(1) Proof of insurance may be given by filing with the division, a certificate of insurance issued to the school by an insurance company authorized to do business in this state showing that the insured has procured and has in effect, a motor vehicle liability policy with the limits of $50,000/100,000/25,000. The policy shall designate by explicit description or by appropriate reference, all motor vehicles with respect to which coverage is granted thereby, and shall insure any and all persons using any such motor vehicle with his consent, against loss from the liabilities imposed by law for damages arising out of the operation, use or maintenance of any such motor vehicle owned or operated by the school;

(2) A bond may be given, conditioned for the paying in behalf of the principal the limits referred to in subsection (1) of this section;

(3) A certificate of the State Treasurer may be furnished stating that such applicant has deposited with him the sum of $50,000 in cash or in securities such as may legally be purchased by fiduciaries or for trust funds of a market value of $50,000; or

(4) Applicant may furnish evidence that he holds a valid certificate of self-insurance issued by the division. [1969 c 309 §7]

481.605 [Repealed by 1953 c.270 §2]

481.610 [Repealed by 1953 c.270 §2]

481.615 [Repealed by 1953 c.270 §2]

RECIPROCAL PRORATION OF REGISTRATION FEES

481.620 Definitions for ORS 481.620 to 481.730. As used in ORS 481.620 to 481.730, unless the context otherwise requires:

(1) "Commercial vehicle" means any vehicle which is operated in more than one jurisdiction and used for the transportation of persons for hire, compensation or profit, or designed or used primarily for the transportation of property.

(2) "Fleet" means one or more commercial vehicles as designated by the division.

(3) "Interstate" means the transportation of persons or commodities between jurisdictions.

(4) "Intrastate" means the transportation of persons or commodities between points both of which are within the same jurisdiction.

(5) "Jurisdiction" means and includes a state, district, territory or possession of the United States, a foreign country and a state or province of a foreign country.

(6) "Person" means every natural person, firm, copartnership, association or corporation.

(7) "Preceding year" means a period of 12 consecutive months fixed by the division which period shall be within the 16 months immediately preceding the commencement of the registration or license year for which proportional registration is sought; and the division in fixing such period shall make it conform to the terms, conditions and requirements of any applicable agreement or arrangement for the proportional registration of vehicles.

(8) "Properly registered" as applied to place of registration means:

(a) The jurisdiction where the person registering the vehicle has a legal residence, or

(b) In the case of a commercial vehicle, the jurisdiction in which it is registered if the commercial enterprise in which such vehicle is used has a place of business therein, and, if the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled in or from such place of business, and, the vehicle has been assigned to such place of business, or

(c) In the case of a commercial vehicle, the jurisdiction where, because of an agreement or arrangement between two or more jurisdictions, or pursuant to a declaration, the vehicle has been registered as required by said jurisdiction. In case of doubt or dispute as to the proper place of registration of a vehicle, the division shall make the final determination, but in making such determination the division may confer with departments of the other jurisdictions affected.

(9) "Reciprocity Officer" means the Administrator of the Motor Vehicles Division of the Department of Transportation.

(10) "Vehicle" means every mechanical device moving by any power over the highways of the state, except devices that:

(a) Move exclusively on stationary rail tracks;

(b) Are operated by electric energy transmitted through trolley poles from stationary trolley wires; or

(c) Are powered exclusively by human power.

(11) The definitions set forth in subsection (3) of ORS 481.015 and subsections (1), (2), (3) and (4) of 481.040 apply to ORS 481.620 to 481.730. [1969 c.294 §3; 1979 c.871 §12]

481.625 Policy. It is the policy of this state to promote and encourage the fullest possible use of its highway system by authorizing the making and execution of motor vehicle reciprocal or proportional registration agreements, arrangements and declarations with other states, provinces, territories and countries with respect to vehicles registered in this and such other states, provinces, territories and countries, thus contributing to the economic and social development and growth of this state. [1969 c.294 §2]

481.630 Administrator as Reciprocity Officer; authority. (1) The Administrator of the Motor Vehicles Division of the Department of Transportation shall be the Reciprocity Officer and shall receive no additional compensation for this service but shall be allowed his actual and necessary expenses incurred in the performances of the duties of Reciprocity Officer to be paid from the Motor Vehicle Division Account.

(2) The Reciprocity Officer shall have the authority to execute or make arrangements, agreements or declarations to carry out the provisions of ORS 481.620 to 481.730. [1969 c.294 §4]

481.635 Interstate agreements based on reciprocal vehicle registration exemptions. The Reciprocity Officer may enter into an agreement or arrangement with the duly authorized representatives of other jurisdictions, granting to vehicles or to owners of vehicles which are properly registered or licensed in such jurisdictions, and for which evidence of compliance is supplied, benefits, privileges and exemptions from the payment, wholly or partially, of any vehicle license or registration fees imposed upon such vehicles or owners with respect to the operation or ownership of such vehicles under the laws of this state. No agreement or arrangement or declaration shall be made or entered into under the authority of this section which provides for any benefit, exemption or privilege with respect to fuel taxes, use fuel taxes, weight mile taxes or any other fees or taxes levied or assessed against the use of highways or use or ownership of vehicles, except registration and license taxes, fees and requirements. Such an agreement or arrangement shall provide that vehicles properly registered or licensed in this state, when operated upon highways of such other jurisdiction, shall receive exemptions, benefits and privileges of a similar kind or to a similar degree as are extended to vehicles properly registered or licensed in such jurisdiction when operated in this state. Each such agreement or arrangement shall, in the judgment of the Reciprocity Officer, be in the best interest of this state and the citizens thereof, and shall be fair and equitable to this state and the citizens thereof, and all of the same shall be determined on the basis and recognition of the benefits which accrue to the economy of this state from the uninterrupted flow of commerce. [1969 c.294 §5]

481.640 Application of agreement to out-of-state vehicles required to be licensed in this state. An agreement or arrangement entered into, or a declaration issued under the authority of ORS 481.620 to 481.730, may contain provisions authorizing the registration or licensing in another jurisdiction of vehicles located in or operated from a base in such other jurisdiction which vehicles otherwise would be required to be registered or licensed in this state; and in such event the exemptions, benefits and privileges extended by such agreement, arrangement or declaration shall apply to such vehicles, when properly licensed or registered in such base jurisdiction. [1969 c.294 §6]

481.645 Vehicles engaged in interstate commerce; proportional registration; apportionment of fees; reduction of fee charged; fee for identification insigne; audits; temporary permits and fee. (1) The Reciprocity Officer may enter into agreements or arrangements with the duly authorized representatives of other jurisdictions, relating to proportional registration of commercial vehicles in interstate or combined interstate and intrastate commerce and in the manner provided for in ORS 481.665, for the purpose of facilitating the administration thereof. He

may also enter into arrangements or agreements for the payment of registration fees, license taxes or other fixed fees on an apportionment basis as to vehicles not comprising a fleet as defined herein, which vehicles are operated in interstate or combined interstate and intrastate commerce. Such apportionment may be made on a basis commensurate with and determined on the miles traveled on and use made of the highways of this state as compared with the miles traveled on and use made of other jurisdictions' highways or any other equitable basis of apportionment. The Reciprocity Officer may adopt and promulgate such rules and regulations he shall deem necessary to effectuate and administer the provisions of this subsection.

(2) The registration fees due under this section may be reduced 25 percent each calendar quarter as provided for in subsection (4) of ORS 481.210 but shall not be paid on a quarterly basis as provided in subsection (2) of ORS 481.205.

(3) The division shall issue appropriate identification stickers, permits, tabs or plates to vehicles of fleets not registered in Oregon. A fee of $2 per vehicle shall be charged for such identification.

(4) Any owner whose application for proportional registration under this section has been accepted by the division shall preserve the records on which the application is based for a period of four years following the year or period upon which said application is based. Upon request of the division, the owner shall make such records available to the division at its office for audit as to accuracy of mileage, number of vehicles, weights, computations and payment of fees or shall pay the reasonable costs of an audit at the home office of the owner by a duly appointed representative of the division.

(5) If the division determines that the applicant under this section should have prorated more vehicles in this state under the provisions of this chapter, the division may deny him the right of any further benefits by reason of any reciprocal agreement or declaration until the fees for such additional vehicle or vehicles, which have been prorated, have been paid.

(6) The division may make arrangements with agencies of this state or other jurisdictions administering motor vehicle registration laws for joint audits of any owner having vehicles registered under this section, or for the exchange of audit information on such owners.

(7) The division may issue temporary telegraphic authority without charge or temporary permits for qualifying operators for the operation of vehicles pending issuance of license identification. A fee of $1 shall be charged for each permit issued.

(8) All vehicles registered under this section, the license plates and registration of which expire on December 31, may continue to operate on such plates and registration until March 15, of the following year, provided that prior to January 1, of that year, an application for registration and the required fees have been submitted to the division. [1969 c.294 §7]

481.650 Agreements may provide for leased vehicles. An agreement or arrangement entered into, or a declaration issued under the authority of ORS 481.620 to 481.730, may contain provisions under which a leased vehicle properly registered by the lessor thereof may be entitled, subject to terms and conditions stated therein, to the exemptions, benefits and privileges extended by such agreement, arrangement or declaration. [1969 c.294 §9]

481.655 Agreements may provide for cancellation of benefits of person who violates provisions. Agreements, arrangements or declarations made under the authority of ORS 481.620 to 481.730 may include provisions authorizing the division to suspend or cancel the exemptions, benefits or privileges granted thereunder to a person who violates any of the conditions or terms of such agreements, arrangements or declarations or who violates the laws of this state relating to motor vehicles, or regulations lawfully promulgated thereunder. [1969 c.294 §12]

481.660 Agreements to be written and filed with division; available for public distribution. All agreements, arrangements or declarations, or amendments thereto, shall be in writing and shall be filed in the office of the division. A copy of each agreement, arrangement or declaration, or amendment thereto, shall be filed by the division in the office of the Motor Vehicles Division of the Department of Transportation within 10 days after execution or the effective date of the instrument, whichever is later. The division shall provide copies for public distribution upon request. [1969 c.294 §13]

481.665 Registration of fleets of vehicles authorized; application; fee. (1) Any owner engaged in operating one or more fleets may, in lieu of registration of vehicles under other sections of this chapter, register and license each fleet for operation in this state by filing an application with the division which shall contain the following information, and such other information pertinent to vehicle registration as the division may require:

(a) Total fleet miles. This shall be the total number of miles operated in all jurisdictions during the preceding year by the vehicles in such fleet during said year.

(b) In-state miles. This shall be the total number of miles operated in this state during the preceding year by the vehicles in such fleet during said year.

(c) A description and identification of each vehicle of such fleet which is to be operated in this state during the registration year for which proportional fleet registration is requested.

(2) The application for each fleet shall be accompanied by a fee payment computed as follows:

(a) Divide in-state miles by total fleet miles.

(b) Determine the total amount necessary to register each and every vehicle in the fleet for which registration is requested, based on the regular annual registration fees prescribed by ORS 481.620 to 481.730.

(c) Multiply the sum obtained under paragraph (b) of this subsection by the fraction obtained under paragraph (a) of this subsection. [1969 c.294 §15]

481.670 Fleet registration procedure; identification devices; fee. (1) The division shall register the vehicles so described and identified and shall issue a license plate or plates, or a distinctive sticker, or other suitable identification device, for each vehicle described in the application upon payment of the appropriate fees for such application and for the stickers or devices issued. A fee of $2 shall be paid for each license plate, sticker or device issued for each proportionally registered vehicle. A registration card shall be issued for each proportionally registered vehicle. Such registration card shall, in addition to other information required by this chapter, bear upon its face the number of the license, sticker or other device issued for such proportionally registered vehicle and shall be carried in such vehicle at all times or, in the case of a combination, in the vehicle supplying the motive power.

(2) Fleet vehicles so registered and identified shall be deemed to be fully licensed and registered in this state for any type of movement or operation, except that in those instances in which a grant of authority is required for intrastate movement or operation, no such vehicle shall be operated in intrastate commerce in this state unless the owner thereof has been granted intrastate authority or rights by the Public Utility Commissioner, and unless said vehicle is being operated in conformity with such authority or rights. [1969 c.294 §16]

481.675 Condition for application for fleet registration. The right to the privileges and benefits of proportional registration of fleet vehicles extended by ORS 481.620 to 481.730, or by any contract, agreement, arrangement or declaration made under the authority of ORS 481.620 to 481.730, shall be subject to the condition that each fleet vehicle proportionally registered under the authority of ORS 481.620 to 481.730 shall also be proportionally or otherwise properly registered in at least one other jurisdiction during the period for which it is proportionally registered in this state. [1969 c.294 §17]

481.680 Additional information required in application for fleet registration. The initial application for proportional registration of a fleet shall state the mileage data with respect to such fleet for the preceding year in this and other jurisdictions. If no operations were conducted with such fleet during the preceding year, the application shall contain a full statement of the proposed method of operation and estimates of annual mileage in this state and other jurisdictions. The division shall determine the in-state and total fleet miles to be used in computing the fee payment for the fleet. The division may evaluate and adjust the estimate in the application if it is not satisfied as to the correctness thereof. [1969 c.294 §20]

481.685 Adding to vehicles under fleet registration. Vehicles acquired by the owner after the commencement of the registration year and subsequently added to a proportionally registered fleet shall be proportionally registered by applying the mileage percentage used in the original application for such fleet for such registration period to the

regular registration fees due with respect to such vehicle for the remainder of the registration year. [1969 c.294 §18]

481.690 Withdrawal of vehicles under fleet registration. If any vehicle is withdrawn from a proportionally registered fleet during the period for which it is registered under the provisions of ORS 481.620 to 481.730, the owner of such fleet shall so notify the division on appropriate forms to be prescribed by the division. The division may require the owner to surrender proportional registration cards and such other identification devices which have been issued with respect to such vehicle as the division may deem advisable. If a vehicle is permanently withdrawn from a proportionally registered fleet because it has been destroyed, sold or otherwise completely removed from the service of the registrant, the unused portion of the fees paid with respect to such vehicle, which shall be a sum equal to the amount paid with respect to such vehicle when it was first proportionally registered in such registration year, reduced by one-twelfth of the total annual proportional registration responsibility of such vehicle for each calendar month and fraction thereof elapsing between the first day of the month of the current year in which the vehicle was registered and the date the notice of withdrawal is received by the division, shall be credited to the proportional registration account of such owner. Such credit shall be applied against liability for subsequent additions to be prorated during such registration year or for additional fees due upon audit under ORS 481.705. If any such credit is less than $5, no credit shall be made or entered. In no event shall such amount be credited against fees other than those for such registration year, nor shall any such amount be subject to refund. [1969 c.294 §19]

481.695 Refusal of proportional registration for lack of reciprocal treatment. The Reciprocity Officer may refuse to accept proportional registration applications for the registration of vehicles based in, or owned by residents of, another jurisdiction if the Reciprocity Officer shall find that such other jurisdiction does not grant similar registration privileges to fleet vehicles based in or owned by residents of this state. [1969 c.294 §21]

481.705 Owner's duty to preserve records; availability for audit; paying cost of audits. Any owner whose application for proportional registration has been accepted shall preserve the records on which the application is based for a period of four years following the year or period upon which said application is based. Upon request of the division, the owner shall make such records available to the division at its office for audit as to accuracy of computations and payments, or pay the reasonable costs of an audit at the home office of the owner, by a duly appointed representative of the division. The division may make arrangements with agencies of other jurisdictions administering motor vehicle registration laws for joint audits of any such owner. [1969 c.294 §22]

481.710 In the absence of agreements, Reciprocity Officer to determine reciprocal treatment. In the absence of an agreement or arrangement with another jurisdiction, the Reciprocity Officer may examine the laws and requirements of such jurisdiction and declare the extent and nature of exemptions, benefits and privileges to be extended to vehicles properly registered or licensed in such other jurisdiction or to the owners of such vehicles, which shall, in the judgment of the Reciprocity Officer, be in the best interest of this state and the citizens thereof, and which shall be fair and equitable to this state and the citizens thereof, and all of the same shall be determined on the basis and recognition of the benefits which accrue to the economy of this state from the uninterrupted flow of commerce. [1969 c.294 §8]

481.715 Reciprocity applies if no agreement in effect. After August 22, 1969, if no agreement, arrangement or declaration is in effect with respect to another jurisdiction as authorized by this section, any vehicle properly registered or licensed in such other jurisdiction, and for which evidence of compliance is supplied, shall receive, when operated in this state, the same exemptions, benefits and privileges granted by such other jurisdictions to vehicles properly registered in this state. Reciprocity extended under this section shall apply to commercial vehicles only when engaged exclusively in interstate commerce. [1969 c.294 §10]

481.720 Proportional registration of fleet vehicles not required. Nothing contained in this section relating to proportional registration of fleet vehicles shall be construed as requiring any vehicle to be proportionally registered if it is otherwise registered in this state for the operation in which it is engaged, including but not by way of limita-

tion, regular registration, temporary registration, or trip permit or registration. [1969 c.294 §11]

481.725 Prior agreements continued in effect. All reciprocity and proportional registration agreements, arrangements and declarations relating to vehicles, in force and effect at the time this section becomes effective, shall continue in force and effect until specifically amended or revoked as provided by law or by such agreements or arrangements. [1969 c.294 §14]

481.730 ORS 481.620 to 481.730 as complete authority for proportional registration; construing as part of motor vehicle laws. (1) The provisions of ORS 481.620 to 481.730 shall constitute complete authority for the registration of fleet vehicles upon a proportional registration basis without reference to or application of any other statutes of this state except as expressly provided in ORS 481.620 to 481.730.

(2) ORS 481.620 to 481.730 shall be construed as a part of and supplemental to the motor vehicle registration laws of this state. Nothing in ORS 481.620 to 481.730 is intended to repeal ORS 481.155 or 481.158. [1969 c.294 §§23, 24]

REGISTRATION OF SNOWMOBILES

481.770 Definitions for ORS 481.770 to 481.810. As used in ORS 481.770 to 481.810, unless the context otherwise requires:

(1) "Administrator" means the Administrator of the Motor Vehicles Division.

(2) "Dealer" means a person who engages in the wholesale or retail sales of or rental of snowmobiles.

(3) "Operator" means a person who operates or is in physical control of the snowmobile.

(4) "Owner" means the person, other than a security interest holder, having a property interest in or title to a snowmobile and entitled to the use or possession thereof.

(5) "Snowmobile facility" means a trail, a parking facility or a sanitary facility constructed and maintained for the purpose of accommodating snowmobiles and their operators. [1971 c.618 §4; 1977 c.475 §1]

481.775 Operation of unregistered snowmobile prohibited. (1) No person shall operate a snowmobile any place in this state unless the snowmobile has been registered in accordance with ORS 481.770 to 481.800.

(2) A person who violates this section commits a Class C traffic infraction. [1971 c.618 §5; 1975 c.451 §207]

481.780 Exemptions from registration. (1) No registration shall be required under ORS 481.770 to 481.800 for:

(a) Snowmobiles owned and operated by the United States, another state or a political subdivision thereof.

(b) Snowmobiles owned and operated by this state, or by any city, district or political subdivision thereof.

(c) A snowmobile owned by a resident of another state if the snowmobile is registered in accordance with the laws of the state in which its owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state for snowmobiles registered in this state; however, any such snowmobile which is physically located in this state for a period of more than 60 consecutive days shall be subject to registration under ORS 481.770 to 481.800.

(d) Snowmobiles operated exclusively on lands owned and under the control of the owner thereof.

(2) No city, county or other political subdivision of this state, nor any state agency, may adopt a regulation or ordinance that imposes a special fee for the use of public lands or waters by snowmobiles, or for the use of any access thereto which is owned by or under the jurisdiction of either the United States, this state or any such city, county or other political subdivision. [1971 c.618 §6]

481.785 Application for registration; registration term; transfers; nonresident registration permit; fees; fees in lieu of taxes on snowmobiles; local registration and license fees prohibited. (1) Application for registration shall be made to the division in the manner and upon the forms the division prescribes. The division shall send application forms to all snowmobile dealers in this state and the dealers shall furnish each purchaser of a new or used snowmobile with a copy of the application form. The application shall state the name and address of each owner of the snowmobile to be registered, shall be signed by at least one owner and shall be

accompanied by a registration fee of $10. Upon receipt of the application and the application fee, the snowmobile shall be registered and a registration number assigned.

(2) The registration provided by this section shall be valid for a period of two years. At the end of the period of registration, every owner of a snowmobile in this state shall renew his registration in the manner the division prescribes, for an additional period of two years, upon payment of a renewal fee of $10.

(3) Any person acquiring a snowmobile already validly registered under ORS 481.770 to 481.800 shall, within 10 days after the acquisition or purchase of the snowmobile, make application to the division for transfer of the registration. The application shall be accompanied by a transfer fee of $2.

(4) A snowmobile owned by a resident of another state where registration is not required by law may be issued a nonresident registration permit valid for not more than 60 days. Application for a permit shall state the name and address of each owner of the snowmobile to be registered, shall be signed by at least one such owner and shall be accompanied by a registration fee of $2. The registration permit shall be carried on the vehicle at all times during its operation in this state.

(5) The registration fees provided by this section are in lieu of any personal property or excise tax imposed on snowmobiles by this state or any political subdivision. No city, county or other municipality, and no state agency shall impose any other registration or license fee on any snowmobile in this state.

(6) A person who violates any provision of this section commits a Class C traffic infraction. [1971 c.618 §7; 1975 c.451 §208; 1977 c.475 §3]

481.790 Registration of dealers; fees; registration numbers and plates; sales or demonstrations by unregistered dealers prohibited. (1) Each dealer shall register with the division in the manner and upon the forms the division prescribes. Upon receipt of a dealer's application for registration and the registration fee provided for by subsection (2) of this section, the dealer shall be registered and a registration number assigned.

(2) The registration fee for dealers shall be $25 per year. Such fee covers all of the snowmobiles owned by a dealer and not rented on a regular, commercial basis. Snowmobiles rented on a regular, commercial basis by a dealer shall be registered separately under ORS 481.775, 481.785, 481.795 and 481.800.

(3) Upon registration each dealer shall purchase, at a cost to be determined by the division, dealer number plates of a size and color to be determined by the division. The plates shall contain the registration number assigned to that dealer. Each snowmobile operated by a dealer for the purposes enumerated in subsection (2) of this section shall display such number plates in a clearly visible manner.

(4) No person other than a dealer or a representative thereof shall display a dealer number plate. No dealer or a representative thereof shall use a dealer's number plate for any purpose other than the purposes described in subsection (2) of this section.

(5) Dealer registration numbers are nontransferable.

(6) It shall be unlawful for any dealer to sell any snowmobile at wholesale or retail, or to test or demonstrate any snowmobile, within the state, unless registered in accordance with the provisions of this section.

(7) A person who violates any provision of this section commits a Class C traffic infraction. [1971 c.618 §8; 1975 c.451 §209]

481.795 Original registration numbers permanent; registration tags. (1) The registration number assigned to a snowmobile at the time of its original registration shall remain with that snowmobile until the vehicle is destroyed, abandoned or permanently removed from this state, or until changed or terminated by the division. The division shall, upon assignment of a registration number, issue and deliver to the owner a certificate of registration, in a form to be determined by the division. The certificate of registration shall not be valid unless signed by the person who signed the application for registration.

(2) At the time of the original registration, and at the time of each subsequent renewal thereof, the division shall issue to the registrant a date tag or tags indicating the validity of the current registration and the expiration date thereof. The validating date and the tag or tags shall be affixed to the snowmobile in the manner prescribed by the division. A snowmobile registration shall not be valid unless a validating date tag and current registration certificate has been issued. [1971 c.618 §9]

481.800 Vehicle registration numbers to be permanently affixed; form of numbers; dealer registration plates may be temporarily affixed. (1) The registration number assigned to each snowmobile under ORS 481.785 shall be permanently affixed to and displayed in a clearly visible manner upon each side of the snowmobile, on the front cowling, if practical or, if so affixing is not practical, then in a manner prescribed by the division. The numbers displayed shall be in the form of painted numbers or decals no less than three inches high and shall be of contrasting color with the surface on which it is applied and shall be maintained in a legible condition. Dealer number plates provided for by ORS 481.790 may be temporarily affixed.

(2) A person who violates this section commits a Class C traffic infraction. [1971 c.618 §10; 1975 c.451 §210; 1977 c.475 §2]

481.805 Disposition of snowmobile fees. Of the money collected by the division under ORS 481.770 to 481.800:

(1) An amount each calendar quarter shall be retained by the division in accordance with ORS 481.950 necessary to cover expenses incurred in the administration of ORS 481.770 to 481.800 and in the collection, transfer and disbursement of funds.

(2) The amount remaining after providing for the expenses outlined in subsection (1) of this section shall be transferred within 30 days after the end of the quarter to the State Highway Fund to be expended only for the purposes of enforcing ORS 390.790, 481.775, 483.710, 483.725 to 483.755 and subsection (3) of 483.991, and for the development and maintenance of snowmobile facilities, including the acquisition of land therefor by any means other than the exercise of the power of eminent domain. [1971 c.618 §25; 1973 c.26 §3; 1977 c.263 §6; 1977 c.475 §4]

481.810 Motor vehicle fuel use in snowmobile considered nonhighway use; no refund of excise tax on fuel; disposition of moneys determined to be tax paid division on snowmobile fuel; administrative cost moneys retained. (1) Motor vehicle fuel used and purchased for providing the motive power for snowmobiles shall be considered a nonhighway use of fuel, but persons so purchasing and using motor vehicle fuel shall not be entitled to a refund of the motor vehicle fuel excise tax paid in accordance with ORS chapter 319.

(2) At least once each two years, the administrator shall determine the amount or proportion of moneys paid to it as motor vehicle fuel tax which is tax on snowmobile fuel. Such determination may be made in any manner which is, in the judgment of the administrator, reasonable, but the manner used to make such determination shall be reported at the end of each four-year period to the Legislative Assembly. To offset the cost of making such determination, the division, in addition to the amount retained under subsection (1) of ORS 481.805, shall retain, and the division is authorized to expend from, the money collected under ORS 481.075 and 481.770 to 481.790, such sum as may be necessary but not more than $10,000 during each biennium.

(3) Amounts which have been determined to be a tax on snowmobile fuel paid during each 12-month period ending June 30 shall be withheld by the administrator from the taxes collected under ORS chapter 319 during June each year and shall before July 31 each year be transferred to the State Highway Fund to be used only for the purposes specified in subsection (2) of ORS 481.805. [1971 c.618 §26; 1977 c.475 §5]

481.825 [1975 c.710 §2, repealed by 1979 c.379 §12]

481.830 [1975 c.710 §3; repealed by 1979 c.379 §12]

481.835 [1975 c.710 §4; repealed by 1979 c.379 §12]

481.840 [1975 c.710 §5; repealed by 1979 c.379 §12]

481.845 [1975 c.710 §6; repealed by 1979 c 379 §12]

481.850 [1975 c.710 §9; repealed by 1979 c.379 §12]

481.855 [1975 c.710 §11; repealed by 1979 c.379 §12]

481.875 [1975 c.681 §1; repealed by 1979 c.379 §12]

481.880 [1975 c.681 §2; repealed by 1979 c.379 §12]

481.885 [1975 c.681 §3; repealed by 1979 c.379 §12]

481.890 [1975 c.681 §§4, 5; repealed by 1979 c.379 §12]

MOTOR VEHICLES DIVISION

481.905 [1955 c.287 §1; repealed by 1969 c.599 §68]

481.910 Motor Vehicles Division established; organization subject to Director of Transportation; subdivisions. (1) Subject to subsection (2) of ORS 184.615, the Motor Vehicles Division is continued within the Department of Transportation.

(2) For the purpose of administration, the Administrator of the Motor Vehicles Division, with the approval of the Director of Transportation, shall organize and reorganize as neces-

sary the division in the manner that he considers necessary to conduct properly the work of the division.

(3) The functions of the division may be divided into administrative subdivisions for administrative purposes. Each administrative subdivision shall be managed by a person well qualified by technical training and experience in the functions to be performed. [1955 c.287 §2; 1965 c.536 §1; 1969 c.599 §23; 1973 c.249 §41]

481.915 Duties and functions of division. Subject to the general supervision of the director the Motor Vehicles Division of the Department of Transportation shall perform all the duties, functions and powers with respect to:

(1) The administration of the laws relating to the motor vehicle fuel license tax, aircraft fuel license tax and use fuel excise tax, including ORS chapter 319.

(2) The administration of the laws relating to motor vehicle registration and licensing, dealers' business and vehicle licenses and wreckers' licenses, including but not limited to the administration of this chapter.

(3) The administration of the laws relating to operators' and chauffeurs' licenses and permits, including but not limited to the administration of ORS chapter 482.

(4) The administration of ORS chapters 483 and 487.

(5) The administration of ORS 485.060.

(6) The administration of the Motor Vehicle Safety Responsibility Act, including but not limited to ORS chapter 486. [1955 c.287 §7; 1961 c.546 §6; 1973 c.249 §42]

481.920 [1955 c.287 §9; repealed by 1973 c.249 §91]

481.925 [1955 c.287 §3; 1969 c.599 §24; repealed by 1973 c.249 §91]

481.930 Administrator of division. (1) The division shall be under the supervision and control of an administrator who is responsible for the performance of the duties imposed upon the division.

(2) The administrator shall receive such salary as may be provided by law or, if not so provided, as may be fixed by the director. In addition to his salary, the administrator shall, subject to the limitations otherwise provided by law, be reimbursed for all expenses actually and necessarily incurred by him in the performance of his official duties. Before entering upon the duties of his office the administrator shall give to the state a fidelity bond with one or more corporate sureties authorized to do business in this state in the penal sum fixed by the director. The premium for the bond shall be paid by the division. [1955 c.287 §4; 1969 c.599 §25; 1969 c.599 §25a; 1969 c.695 §9; 1973 c.249 §43]

481.935 Powers of administrator; designating deputy; appointing officers and employes; requiring bonds. The administrator, may, with the approval of the director, designate a deputy, who shall be in the unclassified service, with full authority to act for the administrator, but subject to his control. The designation of a deputy shall be by written order, filed with the Secretary of State. [1955 c.287 §5; 1965 c.536 §2; 1973 c.249 §44]

481.940 Rules and regulations. The administrator with the approval of the director may make the rules and regulations necessary for the administration and enforcement of the laws which the division is charged with administering. [1955 c.287 §6; 1973 c.249 §45]

481.942 Acceptance of grants and other money for traffic safety programs; contracts. The division in behalf of the department and with the approval of the director may:

(1) Apply for, accept and receive such grants, contributions or other moneys as may be available to this state or any of its agencies for research and other programs concerning the safe operation of motor vehicles upon the highways, including research or educational programs for the improvement of drivers, the reduction of traffic accidents and the reduction of violations of traffic laws and ordinances.

(2) Enter into such contracts or agreements, employ such personnel, and do all things necessary to receive available moneys and carry on any research or program mentioned in subsection (1) of this section, provided that the authority herein granted and the contracts, agreements and other acts authorized to be entered into or performed, shall be subject to and not in conflict with the provisions of any other applicable state statutes. [1965 c.363 §2; 1973 c.249 §46]

481.943 Motor Vehicles Division Financial Aid Account. Moneys received by the department pursuant to ORS 481.942 shall be deposited in the State Treasury to the credit of a special account separate and distinct from the Motor Vehicle Division Account in the General Fund to be designated the

Motor Vehicles Division Financial Aid Account. Such moneys shall be disbursed and expended only for the purposes for which authorized under the terms of their grant or appropriation. [1965 c.363 §3; 1969 c.599 §26; 1973 c.249 §47]

481.945 Stores Revolving Account. There hereby is established for the Motor Vehicles Division of the Department of Transportation a Stores Revolving Account. The division may pay for stocks of supplies and materials used generally by various divisions of the division from the Stores Revolving Account for the purpose of supplying current requirements of various divisions of the division, the cost of which shall be reimbursed to the revolving account through charges made from time to time to the various divisions of the division on the basis of actual usage. The maximum amount of the Stores Revolving Account is $75,000 and the moneys in such account hereby are appropriated continuously for the purposes of this section. [1957 c.379 §1; 1961 c.119 §1]

481.947 Payment of refunds; filing refund claims. (1) When the division determines that money has been received by it in excess of the amount legally due and payable or that it has received money in which it has no legal interest, the division shall refund the excess or erroneous payment to the person who made the payment or to his legal representative. Such moneys hereby are continuously appropriated for such purposes.

(2) Except as otherwise provided in ORS 319.290, 319.375, 319.820 and 319.831, a claim for a refund under this section shall be filed with the division within 12 months after the date payment is received by the division. If a claim is not filed and if the division determines that a refund is due, it may refund the amount of the excess or erroneous payment. [1967 c.175 §3]

481.950 Disposition of receipts in suspense account; Motor Vehicle Division Account; payments out of accounts. (1) Except as provided in ORS 481.943 or 481.952, all moneys received by the division under the provisions of this chapter shall be deposited in the State Treasury and credited to a suspense account, along with the moneys received under ORS chapters 319, 482 and 486, and any other statute administered by the division. Refunds authorized by any statute administered by the division, when approved by the division, shall be paid out of the suspense account. Moneys subject to subsection (2) of ORS 319.410, ORS 481.480 and subsections (4) and (5) of 482.250, and moneys collected for or dedicated to any other purpose or fund except the State Highway Fund, shall be paid out of the suspense account after deducting the expenses of collection and transfer incurred by the division.

(2) Except for moneys subject to subsection (2) of ORS 319.410, ORS 481.480 and subsections (4) and (5) of 482.250, and moneys collected for or dedicated to any other purpose or fund except the State Highway Fund, moneys in the suspense account, including amounts deducted for expenses under subsection (1) of this section, remaining at the close of business on the last day of each month shall, on or before the 15th day of the following month, be credited to an account in the General Fund to be known as the Motor Vehicle Division Account.

(3) After paying out of the money so deposited in the Motor Vehicle Division Account, the expenses incurred by the division in administering this chapter, ORS chapters 319, 482 and 486 and any other statute and any amounts authorized by law to be charged against such account, the money remaining at the close of business on the last day of each month shall, on or before the 15th day of the month following, upon certification to the State Treasurer by the division, be transferred to the State Highway Fund.

(4) However, upon receiving a certificate from the director, certifying as to the amount of principal or interest of highway bonds due on any particular date, the division may turn over and make available for the payment of such interest or principal, such sum or sums as may be necessary to the extent of the moneys on hand available for the State Highway Fund, regardless of the dates above specified. [Formerly 481.540; 1961 c.146 §4; 1965 c.220 §4; 1965 c.363 §4; 1967 c.175 §1; 1969 c.70 §3; 1969 c.599 §28; 1973 c.249 §48; 1975 c.681 §8; 1975 c.682 §10a; 1979 c.284 §157; 1979 c.379 §6c]

481.952 Authority of division to return check or money order to applicant; records. Whenever any bank check or money order received by the division is incorrect or incomplete, or not accompanied by a proper application, the division may return the bank check or money order to the applicant. The division shall keep a record of bank checks or money orders so returned. [1965 c.220 §3]

481.955 Revolving fund for making cash advances and taking up dishonored remittances. (1) The revolving fund which was established by section 1, chapter 89, Oregon Laws 1931, shall be used by the division in taking up dishonored remittances returned by banks or the State Treasurer, and for emergency cash advances to be reimbursed subsequently. It shall be used only as a revolving fund and the division shall at all times be accountable for the amount of the fund, either in cash or unreimbursed items and advances. The money in such fund is hereby appropriated continuously for the purposes of this subsection.

(2) The division is authorized to increase the revolving fund, to an amount not to exceed $15,000, from the moneys received by the division in the performance of its functions, and such moneys hereby are appropriated for such purpose. [Formerly 481.545; 1967 c.201 §1]

481.957 Procedure when check given to pay fee is uncollectible; taxation of vehicles affected. (1) Whenever any bank check, issued in payment of any vehicle license or registration fee or other fee required by this chapter, and ORS chapters 319, 482 and 486, is returned to the Motor Vehicles Division of the Department of Transportation as uncollectible, the division may charge the person presenting the check a fee not to exceed $10.

(2) If the fee under subsection (1) of this section is not then paid, the division may:

(a) Suspend or cancel any registration or license in payment of which the check was presented;

(b) Delegate authority to any division employe or police officer to seize and recover any registration plates or other evidence of the suspended registration or license; and

(c) If the registration or license is not recovered under paragraph (b) of this subsection, refuse to conduct any further transactions with the person until the fee is paid.

(3) Any vehicles, other than campers, mobile homes and travel trailers, that have registration canceled or suspended under subsection (2) of this section and that had a situs in the State of Oregon on January 1 of that year shall be subject to assessment and taxation as personal property for such year. The division shall furnish the names and addresses of the registered owners on such suspended registrations to the assessor of the appropriate county, who shall cancel any exemption given for such year under ORS 481.270, and, with the tax collector, take such steps as are necessary to assess and tax the property.

(4) Immediately upon suspension or cancellation of any registration or license of a mobile home under subsection (2) of this section, the registration or license fee is delinquent and the provisions of ORS 481.490 shall apply. [1963 c.162 §2; 1967 c.151 §1; 1969 c.605 §52; 1979 c.284 §158; 1979 c.322 §11a]

481.960 Deposit of fund; records; payment of warrants by State Treasurer. The division shall keep the fund referred to in ORS 481.955 on deposit with the State Treasurer, and shall maintain a separate and comprehensive record of all transactions affecting it. The State Treasurer is authorized to honor and pay all properly signed and indorsed checks or warrants drawn against the fund referred to in ORS 481.955. [Formerly 481.550]

481.970 Compilation, publication and distribution of vehicle code; fee. (1) The department may compile, publish and distribute to schools and governmental officials of the state without charge, a code book containing statutes administered by the division along with other related laws.

(2) The department may establish and collect a reasonable fee for code books distributed to other persons or groups. Such charges shall not exceed compilation, publication and distribution costs. [1969 c.34 §2; 1973 c.249 §49]

481.975 [1957 c.137 §§1, 6; repealed by 1973 c.249 §91]

481.980 [1957 c 137 §§2, 3, 4, 5; repealed by 1973 c.249 §91]

PENALTIES

481.990 Penalties. (1) Any violation of ORS 481.345 to 481.370, 481.430 or 481.435, including the engaging in business without a license, is a Class A misdemeanor.

(2) Any person who alters or forges or causes to be altered or forged any certificate of title or certificate of registration issued by the division under this chapter (including a certificate of title for a tractor), or any assignment thereof, or who holds or uses any such certificate or assignment knowing that it has been altered or forged commits a Class C felony.

(3) Any person, unless authorized by the division, who prints or produces, or causes to be printed or produced any certificate of title or certificate of registration required by this chapter (including a certificate of title for a tractor), or any assignment thereof, or who holds or uses any such certificate or assignment knowing that it has been printed or produced without authority commits a Class C felony.

(4) A person commits the crime of unlawfully publishing certificate of title forms if he produces in any way, or causes to be produced, without the authority of the division, facsimiles of the blank forms upon which the division issues certificates of title under this chapter. Unlawfully publishing certificate of title forms is a Class C felony.

(5) Any person who knowingly makes any false statement of a material fact, either in his application for a certificate of title under this chapter or in any assignment thereof, or who, with intent to prosecute or pass title to a vehicle which he knows or has reason to believe has been stolen, receives or transfers possession of such vehicle, or who has in his possession any vehicle which he knows, or has reason to believe, has been stolen, commits a Class C felony.

(6) Any person who knowingly buys, sells, receives, disposes, conceals or has in his possession any vehicle or component from which the identification number has been removed, defaced, covered, altered or destroyed for the purpose of concealing or misrepresenting the identity of the vehicle or the component, commits a Class A misdemeanor.

(7) Any transferee, security interest holder or holder of a certificate of title who is required by ORS 481.405 or 481.410 to forward such certificate or a release to the division or to another person for delivery to the division, and who fails to comply with the provisions of the statutes, commits a Class D traffic infraction.

(8) Any person who sells a vehicle without complying with the requirements of ORS 481.110 and 481.115 commits a Class C felony.

(9) Any person who knowingly makes any false affidavit, or knowingly swears or affirms falsely to any matter or thing required by this chapter to be sworn or affirmed to, commits a Class C felony.

(10) Violation of ORS 481.444 or 481.448 is a Class A misdemeanor. [Amended by 1953 c.270 §2; 1955 c.36 §1; subsection (11) enacted as 1955 c.668 §8; subsection (12) enacted as 1957 c.391 §2; 1959 c.152 §8; part added by 1959 amendment renumbered 481.202; subsection (13) enacted as 1963 c.405 §14; 1965 c.181 §2; 1965 c.343 §15; 1969 c.147 §1; 1969 c.605 §53; 1971 c.743 §391; 1973 c.410 §1; 1973 c.811 §10; subsection (17) enacted as 1974 s.s. c.73 §9; subsection (18) enacted as 1974 s.s. c.73 §8; 1975 c.209 §13; 1975 c 451 §211; subsection (11) enacted as 1975 c.710 §8; 1977 c.806 §9; 1979 c.379 §7]

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,
October 1, 1979.

Thomas G. Clifford
Legislative Counsel