

TITLE 39

VEHICLES AND SMALL WATERCRAFT

- Chapter 481. Motor Vehicle Registration and Licensing; Dealers, Wreckers and Transporters;
Motor Vehicles Division
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 - 483. Motor Vehicle Equipment, Size, Weight; Abandoned Vehicles
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Chapter 481

1983 REPLACEMENT PART

Motor Vehicle Registration and Licensing; Dealers, Wreckers and Transporters; Motor Vehicles Division

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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 ORS 481.205 (4) or (6); 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 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; 1983 c.380 §1]

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 that are in the person's possession for sale or trade.

(a) "Dealer" does not include any of the following:

(A) The registered, or legal owner as shown on a certificate of title duly registered in, or issued by, any jurisdiction.

(B) A receiver, trustee, or personal representative, or a public officer while performing official duties.

(C) A real estate licensee representing a buyer or seller in a transaction involving a mobile home considered real property under ORS 308.875 or 481.518 (1) to (5).

(D) A manufacturer who sells or trades motor vehicles, trailers and semitrailers that the manufacturer has manufactured in Oregon or mobile homes that the manufacturer has manufactured anywhere unless such manufacturer

obtains a dealer's license as authorized by ORS 481.312, except that a manufacturer who sells or trades campers and travel trailers shall be considered a dealer, and shall be licensed as required by ORS 481.312.

(b) 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 employees.

(c) 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; 1983 c.209 §1; 1983 c.748 §7]

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 home," "travel trailer" and "special use 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 special use 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) "Special use trailer" means a trailer described under any of the following:

(a) A trailer that is eight feet or less in width and of any length and that is used for commercial or business purposes.

(b) A trailer that is used temporarily on a construction site for office purposes only. [1969 c.605 §2 (enacted in lieu of 481.022); 1971 c.529 §1; 1979 c.767 §1; 1983 c.311 §3]

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; taxicab exemption. 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 that:

(a) Are passenger vehicles with a passenger seating capacity that does not exceed five;

(b) Carry passengers for hire where destination and route traveled may be controlled by a passenger and the fare is calculated on the basis of any combination of an initial fee, distance traveled or waiting time;

(c) Are operated under a current license or permit issued by a city, county or other unit of local government where a permit or license is required for the operation of a taxicab; and

(d) Transport persons or property, or both, between points in Oregon.

(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. [Amended by 1983 c.145 §1]

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 ORS 481.075 (2)(e) 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 ORS 71.2010 (37).

(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" and "state highway" 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. [Amended by 1983 c.145 §2]

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, special use trailer, 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, 481.165, 481.170, 481.177, 481.245, 481.305 to 481.340, 481.405 and 481.993 to 481.995, "trailer" also means a camper.

(3) As used in ORS 481.075 (1), 481.107, 481.135, 481.145, 481.410, 481.413, 481.415, 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; 1983 c.311 §4]

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 ORS 481.272 (2), and includes vehicles enumerated in ORS 481.272 (3).

(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, 481.775 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.

(i) Mobile homes subject to an exemption under ORS 481.518 (1) to (5). [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; 1983 c.748 §8]

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:

(1) 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.

(2) 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.

(3) 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.

(4) Subject to approval under this subsection, may acquire by purchase, agreement or donation, real property or any right or interest therein for office buildings and necessary appurtenant facilities. Before the division may exercise any authority under this subsection the division must have the approval of:

(a) The committee on ways and means established under ORS 171.555 if the Legislative Assembly is in session.

(b) The Emergency Board created under ORS 291.324 if the Legislative Assembly is not in session. [Amended by 1981 c.314 §1]

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 183.550.

(2) Judicial review of orders under subsection (1) of this section shall be in accordance with ORS 183.310 to 183.550. [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.

(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) Subject to ORS 481.518 (1) to (5), 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 all the following:

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

(b) A description of the vehicle, including the name of the make and the vehicle identification number.

(c) Any other information required by the division.

(d) If the application is for registration or reregistration of a vehicle that is subject to the federal heavy vehicle use tax, proof that the federal use tax has been paid. The division shall adopt rules to determine proof that will be acceptable for purposes of this paragraph.

(5) If an applicant fails to comply with requirements under subsection (4) of this section, the division may refuse to register or reregister a vehicle until the applicant complies with the requirements.

(6) A person who violates any provision 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; 1983 c.152 §1; 1983 c.748 §9]

481.107 Required notice of change of address or name. (1) A person commits the offense of unlawful failure to notify the Motor Vehicles Division of a name and address change if the person:

(a) Has any interest in a vehicle registered or titled by this state that is shown on the title certificate;

(b) Changes names, by marriage or otherwise, from that shown on the title certificate or changes the person's address from that shown on the registration; and

(c) Does not comply with the requirements under this section.

(2) To comply with the requirements of this section, a person must do all the following:

(a) The person must notify the division of the change. Notice of a change of name must be given to the division within 30 days of the change and notice of a change of address must be given to the division, in writing, within 30 days after the change.

(b) If the person changes names, by marriage or otherwise, from that shown on the title and the certificate of title is being held by a security interest holder, the person must notify the security interest holder within 30 days after the change who, in turn, must notify the division in a timely manner.

(c) Any time the name is changed from that on the title, the certificate of title must be submitted to the division with the notice and the appropriate fee under ORS 481.108.

(3) A person may obtain a new certificate of title reflecting a change of name or address or a new registration card indicating a change of

address by making application therefor and paying the appropriate fee under ORS 481.108 at the time of giving notice under this section.

(4) Upon receipt of notice of a change under this section, the division shall note the change in its records. Upon receipt of the notice and the fee required under ORS 481.108 the division shall issue a new certificate of title or registration card, as appropriate, indicating the change.

(5) The offense described in this section, unlawful failure to notify the Motor Vehicles Division of a name or address change, is a Class C traffic infraction. [1967 c.464 §5; 1975 c.451 §175; 1983 c.678 §1]

481.108 Fee for issuance of new certificate of title. (1) The fee for issuance of a new certificate of title under ORS 481.107 indicating a change of name or address is \$7.

(2) The fee for issuance of a new registration card under ORS 481.107 indicating a change of address is \$5. [1983 c.678 §3]

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, the owner of any mobile home which does not have a title because of the operation of the following is not required to procure a title until the time described:

(a) If the mobile home does not have a title pursuant to ORS 308.855 or 308.860 (1969 Replacement Part) the owner must procure a title until such time as the ownership of the mobile home is changed.

(b) If the mobile home does not have a title pursuant to ORS 481.518 (1) to (5) the owner must procure a title when required under ORS 481.518 (1) to (5).

(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; 1983 c.748 §10]

481.112 Temporary registration or number plates. The division may issue a temporary registration or temporary number plates to an applicant for registration to permit the applicant to operate the vehicle while the division is determining, under ORS 481.170, all facts relative to the right of the applicant to receive a certificate under ORS 481.110, permanent number plates under ORS 481.230 and permanent registration. [1983 c.145 §7]

481.115 Contents and effect of certificate of title; fee; vehicle 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 motor vehicle or vehicle has never carried a vehicle identification number, such a number shall be assigned by the division and permanently attached to the vehicle as prescribed by the division. The number shall be furnished by the division.

(3) An owner 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; 1981 c.314 §2]

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 ORS 481.125 (2) 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 ORS 481.125 (1) 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 (4) 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) If a reconstructed vehicle qualifies at the time of application for a license under ORS 481.205 (4), the title records shall indicate that the vehicle has been reconstructed but the title certificate shall not indicate that the vehicle is reconstructed.

(5) 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, 1983 c.663 §4]

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, 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 the owner desires. [Amended by 1955 c.90 §1; 1965 c.384 §1; 1973 c.727 §1; 1975 c.602 §1; 1983 c.145 §3]

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

(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, special use trailers 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 or special use trailer assessed under the ad valorem tax laws of this state as a mobile home under ORS 308.880 or 481.518 (1) to (5) ceases to be used as a permanent home, it shall be registered and licensed as a travel trailer or special use 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 ORS 481.135 (5), 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 §2; 1975 c.602 §2; 1983 c.311 §5; 1983 c.748 §11]

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; 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 paying 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 Certificate of title for foreign vehicles or assembled, reconstructed, wrecked or certain other vehicles; fee; investigation. (1) The division shall not issue a certificate of title for a vehicle described in subsection (4) of this section unless all the following occur:

(a) If the vehicle is from another state, the application for title must be accompanied by 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 the registration card must be surrendered to the division with the application.

(b) The division shall physically inspect the vehicle identification number or numbers of the vehicle being registered, except mobile homes as defined in ORS 481.021 (3), verifying that the vehicle identification number or numbers matches that on the records of the division or on the foreign title and registration and to verify that any plates turned in are those issued to that particular vehicle.

(c) A fee of \$5 must be paid to the division for the inspection.

(d) The division shall check any foreign plate submitted and the vehicle identification number or numbers against those listed as stolen at the National Crime Information Center. In lieu of checking registration plates or vehicle identification numbers under this section, the division may refer the vehicle to the Oregon State Police for an additional vehicle identification number inspection if the vehicle:

(A) Was previously titled and registered in another jurisdiction and the inspection by the division reveals that the vehicle identification number on the vehicle is different than that on documents submitted to the division or appears to have been tampered with, altered or defaced; or

(B) Is a reconstructed or assembled vehicle or has been reported destroyed under ORS 481.444 or is any other salvaged vehicle from another jurisdiction.

(e) If the check indicates the vehicle is stolen, the division shall immediately notify the Oregon State Police.

(2) The division:

(a) Shall conduct the inspections and checks and provide notification to police as required for this section.

(b) If a vehicle is located in another state or country, may designate a person or agency in such state or country to perform the physical inspection and may waive the inspection fee.

(c) If it finds a vehicle is listed as stolen and notifies the police under this section, shall not issue a certificate of title or permanent registration within 30 days of giving notice unless the division is notified before the end of the 30 days that the vehicle is not stolen. After the passage of the 30-day period, the division may issue the title or registration.

(3) If the division refers a vehicle to the Oregon State Police under paragraph (d) of subsection (1) of this section, the state police shall inspect the vehicle. If the state police determine that there is reason to believe that the identification number of the vehicle has been tampered with, altered or forged or that the vehicle is stolen, the state police may seize the vehicle and any records relating to the vehicle and may hold the vehicle and records until completing an investigation to establish the origin and ownership of the vehicle. The division shall reimburse the Department of State Police for any inspections conducted under this subsection in an amount agreed upon by the division and the Department of State Police.

(4) The division shall not issue a certificate of title for any of the following unless the requirements of this section are met:

(a) A motor vehicle, trailer or semitrailer from another state.

(b) Any assembled or reconstructed vehicle.

(c) Any vehicle if the certificate of title has been or is required to be submitted to the division under ORS 481.435 or 481.444.

(d) Any vehicle if the division has received notice that the vehicle has been or will be wrecked, dismantled, disassembled or substantially altered under ORS 481.430. [Amended by 1973 c.805 §1; 1975 c.451 §182; 1977 c.257 §1; 1983 c.145 §4; 1983 c.663 §5]

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 ORS 481.390 (3) 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. The following apply to trip permits for mobile homes:

(a) The permit shall be prominently displayed on the rear of the mobile home being moved. A copy of the permit shall be sent to the division which shall retain one copy or the information therefrom.

(b) The division shall notify the assessor of the county where the mobile home had situs prior to the move, and the assessor of the county to which the mobile home will be moved.

(c) 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 copy for the division shall be remitted to the division within 10 days after the time of movement.

(d) 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 in which the application is made to the division for a permit.

(e) 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.

(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; 1983 c.311 §6]

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 by the division to a transporter, individual or dealer under ORS 481.177 (2), 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; 1983 c.311 §7]

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)]

481.181 Dealer authorized to accept fees and applications for titles and registrations. (1) The division may designate, for the convenience of the public, any dealer issued a license certificate under ORS 481.315 to accept applications and fees for the titling and the registration of vehicles that the dealer sells and for the issuance of permits under ORS 481.177, 481.178 and 481.179. Dealers designated under this section:

(a) Shall serve during such periods of time as the division may designate.

(b) Shall promptly transmit such applications to the division.

(c) Shall properly account to the division for such fees.

(d) Are not authorized to charge any additional fee for transactions conducted on behalf of the division nor to receive any compensation from the division in any way for the service

being provided as such service is a convenience to the dealer as well as the dealer's customers.

(2) The division may adopt rules under ORS 481.340 to assure appropriate conduct of division business by dealers appointed as agents under this section and to appropriately regulate such dealers. [1983 c.152 §3]

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]

481.186 Registration of fleet. (1) The owner of a fleet of vehicles may register the vehicles under this section as a fleet in lieu of registering the vehicles individually under this chapter.

(2) Except as otherwise provided under this section, vehicles registered in a fleet under this section are subject to the same taxes, fees, qualifications, provisions, conditions, prohibitions and penalties applicable to similar vehicles otherwise registered under this chapter, including the provisions under ORS 481.620 to 481.730.

(3) The following apply to fleets registered under this section:

(a) The registered owner of the fleet must maintain the number of vehicles registered in the fleet that the division determines by rule to be required for participation in the fleet registration program.

(b) Fleet registration or renewal of fleet registration under this section may be valid for a one-year or two-year period as determined by the division by rule.

(c) The registration of individual vehicles in a fleet registered under this section does not expire as long as the fleet registration is valid.

(d) The division shall assign identification to the fleet and, upon payment of appropriate fees, shall issue to the registered owner of the fleet permanent fleet tags, stickers, plates or other identification the division determines appropriate for the vehicles that the owner and the division have agreed to place in the fleet. The

division may establish the use of any appropriate form of identification under this paragraph as the division determines convenient for its own operation.

(e) The tags, stickers, plates or other appropriate identification issued under this section shall be displayed on the vehicle to which it has been assigned by the division.

(f) Registration cards issued by the division for vehicles registered under this section are only required to individually describe the vehicles in the fleet to the extent the division determines necessary and to identify the fleet in which the vehicles are registered.

(g) Application for registration under this section shall be in the manner determined by the division by rule.

(h) The fleet owner shall maintain records and provide information to the division as required by the division by rule and shall allow the division to audit the records of the owner and conduct inspections at any reasonable time to determine compliance with requirements for fleet registration.

(i) Vehicles shall be added to the fleet and transferred from the fleet according to procedures established by the division by rule.

(j) The vehicles in the fleet shall be marked in compliance with any requirement for vehicle markings the division determines necessary for identification of fleet vehicles.

(k) The division may adjust fee payments and registration periods for individual vehicles added to a fleet registered under this section as the division determines necessary for administration of the fleet registration.

(L) The fees and taxes for a fleet registered under this section are the same as the fees and taxes required if the vehicles in the fleet are individually registered under this chapter.

(m) The division may charge a \$2 service charge for each vehicle entered into a fleet and a \$1 service charge per vehicle in the fleet at the time of renewal.

(n) The division may schedule the time for payment of fleet registration fees in any manner convenient to the division or the fleet owner.

(o) The fleet owner shall comply with any rules the division establishes for the registration of vehicles in fleets under this section.

(p) The division shall cancel any registration under this section if the division determines that the owner of the vehicles registered is not complying with any requirements for fleet registra-

tion established under this section or by the division.

(q) Notwithstanding ORS 481.190, a fleet owner may certify compliance with ORS 481.190 for motor vehicles registered under this section that are required to comply with ORS 481.190 by submitting to the division certificates of compliance on forms approved by the Department of Environmental Quality that certify compliance of such vehicles within a year prior to the registration or renewal of registration of the vehicles.

(4) The division shall adopt rules necessary for the administration of this section. The rules may include any rules that increase the convenience of administration or the convenience of the registration process under this section. [1981 c.125 §2; 1983 c.145 §8]

481.190 Pollution control systems and compliance with noise control and emission standards; when required for registration; certificates of compliance; 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 ORS 268.020 (3), 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 with a model year that predates by more than 20 years the year in which registration or renewal of registration is required.

(c) A motor vehicle for which a farm truck registration has been issued under ORS 481.519.

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

(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.

(h) First response rescue units operated by political subdivisions of this state that are not used to transport persons suffering from illness, injury or disability.

(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) Notwithstanding this section, motor vehicles that are registered in fleets under ORS 481.186 and that are required to show compliance with this section may be shown to be in compliance with this section as provided under ORS 481.186.

(7) 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; 1981 c.620 §1; 1983 c.145 §8a; 1983 c.196 §2; 1983 c.679 §16]

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) No person 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 481.220, 481.450, 481.460, 481.490, 481.519 to 481.537 and 481.992 has been paid.

(2) This section is subject to the provisions of ORS 483.628.

(3) This section does not apply to a person operating a vehicle registered under special disabled veteran registration under ORS 481.230 (2).

(4) 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; 1983 c.201 §3; 1983 c.416 §3]

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 481.220, 481.450, 481.519 to 481.537 and 481.992 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 this section for a reflectorized plate shall be paid, in addition to any other fees, 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 ORS 481.210 (2) and (3) 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 and for each set of two plates issued shall be established by the division by rule. The division shall establish the fee for a plate or pair of plates under this subsection by determining the cost to manufacture, including but not limited to the cost to reflectorize, and rounding to the nearest higher half-dollar. If the difference between the cost to manufacture a single plate and the cost to manufacture a pair of plates would result in a difference in the fee established under this subsection, the division shall establish separate fees for issuance of single reflectorized plates and pairs of reflectorized plates.

(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; 1981 c.297 §1]

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) The biennial license fees for vehicles not otherwise provided for in this chapter are \$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, ambulances and any vehicles with a combined weight that exceeds 8,000 pounds 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	
over 48,000	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 declare on the application the weight of the vehicle including the cab, chassis and fixed or permanent load of such vehicle. If the owner does not declare the weight, the division shall register such vehicle for the maximum fee of \$25.

(7) Registration fees for electric vehicles are as follows:

(a) The biennial registration fee for an electric vehicle not otherwise described in this subsection is \$50.

(b) The biennial registration fee for electric vehicles that have two or three wheels is \$20. This paragraph does not apply to electric mopeds. Electric mopeds are subject to the same registration fee as otherwise provided for mopeds under this chapter.

(c) The annual registration fees for electric vehicles described under paragraph (a) of subsection (2) of this section are the same as comparable nonelectric vehicles described in that paragraph plus 50 percent of such fee.

(d) The annual registration fee for an electric vehicle registered under ORS 481.519 is the same as a comparable nonelectric vehicle registered under that section plus 50 percent of such fee.

(e) The biennial registration fee for an electric motor home is the same as for comparable nonelectric motor homes under ORS 481.450 plus 50 percent of such fee.

(8) The biennial fee for registration or renewal of registration of a vehicle under ORS 481.223 is \$20.

(9) If there is uncertainty as to the classification of a vehicle for purposes of the payment of registration or license fees under this chapter, the division may classify the vehicle to assure that registration or license fees for the vehicle are the same as for vehicles the division determines to be comparable. The registration or license fees for the vehicle shall be those based on the classification determined by the division.

[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; 1983 c.145 §9; 1983 c.416 §4; 1983 c.679 §21]

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 beginning 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 registration of any of the following vehicles 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 for the vehicle that contains the information required under the following:

(a) For a motor truck, truck tractor, truck trailer, semitrailer, armored car, wrecker, tow car, hearse or ambulance the declaration shall show the combined weight of the vehicle.

(b) For farm vehicle registration under ORS 481.519 the declaration shall show the light weight of the vehicle.

(c) For a motor bus or bus trailer the declaration shall show the light weight of such vehicle, and indicate the number of passengers, including the driver, to be carried thereon.

(d) For a self-propelled mobile crane the declaration shall show the combined weight of such vehicle.

(2) 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; 1983 c.145 §10; 1983 c.679 §17]

481.223 Registration of vehicles of former prisoners of war. (1) In the absence of just cause for refusal, the division shall provide for registration of any motor vehicle re-

quired to be registered by this chapter in a manner consistent with this section for persons who qualify as former prisoners of war under this section. The special registration provisions under this section are subject to all of the following:

(a) Except as otherwise specifically provided under this section, the division shall issue or renew registration and registration plates for motor vehicles registered under this section upon payment of the registration fee for the vehicle under ORS 481.210 and shall not require the payment of any fee under ORS 481.205 or 481.285 for issuance of the registration plates.

(b) Upon registration of a motor vehicle under this section, the division shall issue to the applicant special registration plates described in this section for the vehicle registered.

(c) The division shall not register a motor vehicle under this section or issue special registration plates under this section if another vehicle owned by the applicant or a member of the applicant's household has been registered under this section and issued special registration plates under this section.

(d) The division shall not register any commercial vehicle under this section or any motor vehicle with a combined weight in excess of 8,000 pounds.

(2) A person is a former prisoner of war who qualifies for registration of a vehicle under this section if the person, while serving in the active military, naval or air service of the United States or any of its Allies, was forcibly detained or interned in line of duty:

(a) By an enemy government or its agents, or a hostile force, during a period of war; or

(b) By a foreign government or its agents, or a hostile force during a period other than a period of war in which such person was held under circumstances which the division finds to have been comparable to the circumstances under which persons have generally been forcibly detained or interned by enemy governments during periods of war.

(3) This section does not exempt a person registering a vehicle under this section from payment of any of the following fees:

(a) The fees required for issuance of a vehicle title under ORS 481.115.

(b) Any fee required for inspection of a vehicle under ORS 481.170.

(c) Any fees required upon transfer of a vehicle under ORS 481.405, 481.410, 481.413 or 481.415.

(d) Any fee for replacement of a registration plate under ORS 481.235 (4).

(4) The division shall issue registration plates of a distinctive design for vehicles registered under this section. In addition to any other design, numbering or lettering determined by the division to be appropriate, a registration plate issued under this section shall carry the inscription "EX POW." Registration plates issued under this section are subject to the following:

(a) The plates may not be transferred from the person to whom the plates are issued to any other person except another person who qualifies under this section.

(b) When ownership of the vehicle changes, the registration plates shall not remain with the vehicle as required by ORS 481.235 but may be transferred by the person to whom the plates were issued to any qualifying vehicle owned by the person without payment of the fee for transfer of plates under ORS 481.235 (3). If the holder of the registration plates does not transfer the plates to another vehicle upon change of ownership, the plates must be surrendered to the division.

(c) The division shall assign the registration plates to a specific vehicle in lieu of other registration plates for the vehicle and the plates may not be transferred from vehicle to vehicle except as provided for the transfer of registration plates under ORS 481.235. The holder of the plates may transfer the plates to other qualifying vehicles owned by the person without payment of the registration plate transfer fee under ORS 481.235 (3).

(5) The division may suspend or revoke any registration and registration plates issued under this section if the division determines that registration plates issued under this section are being used for purposes not permitted under this section. Upon revocation or suspension under this subsection, a person to whom such registration plates are issued shall surrender the plates to the division. Failure to surrender registration plates to the division when required under this section is subject to the penalties for failure to return suspended or revoked registration plates under this chapter. [1983 c.416 §2]

481.224 Registration of vehicles of disabled veterans. (1) In the absence of just cause for refusal, the division shall provide for registration of any vehicle required to be registered by this chapter in a manner consistent with this section for persons who qualify as disabled veterans under this section. The special registration provisions under this section are subject to all of the following:

(a) Except as otherwise specifically provided under this section, the division shall register a vehicle and issue registration plates for the vehicle registered under this section without requiring the payment of any fee other than a one-time registration fee of \$10.

(b) Upon registration of a vehicle under this section, the division shall issue to the applicant special registration plates described in this section for the vehicle registered.

(c) The division shall not register a vehicle under this section or issue special registration plates under this section if another vehicle owned by the applicant or a member of the applicant's household has been registered under this section and issued special registration plates under this section.

(d) The division shall not register any commercial vehicle under this section.

(2) A person is a disabled veteran who qualifies for registration of a vehicle under this section if the person:

(a) Is a disabled person as that term is defined in ORS 487.915 whose disability results from causes connected with service in the Armed Forces of the United States; and

(b) 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) This section does not exempt a person registering a vehicle under this section from payment of any of the following fees:

(a) The fees required for issuance of a vehicle title under ORS 481.115.

(b) The plate manufacturing fee required under ORS 481.205 (5).

(c) Any fee required for inspection of a vehicle under ORS 481.170.

(d) Any fees required upon transfer of a vehicle under ORS 481.405, 481.410, 481.413 or 481.415.

(e) Any fee for replacement of a registration plate under ORS 481.235 (4).

(4) Registration issued under this section is valid as long as the vehicle is owned by the person who qualified to register the vehicle under this section. This subsection exempts the registration from any requirement to be renewed or to make payment of renewal fees. However, if any owner would be required to comply with ORS 481.190 upon issuance or renewal of regular

registration for the vehicle, the owner must comply with ORS 481.190 in the same manner as for other vehicles or the division may suspend the registration of the vehicle and require the return of the registration plates until the owner submits proof of compliance.

(5) The division shall issue registration plates with a distinctive number or other distinctive means of identification for vehicles registered under this section. Registration plates issued under this section are subject to the following:

(a) The plates may not be transferred from the person to whom the plates are issued to any other person except another person who qualifies under this section.

(b) When ownership of the vehicle changes, the registration plates shall not remain with the vehicle as required by ORS 481.235 but may be transferred by the person to whom the plates were issued to any qualifying vehicle owned by the person without payment of the fee for transfer of plates under ORS 481.235 (3). If the holder of the registration plates does not transfer the plates to another vehicle upon change of ownership, the plates must be surrendered to the division.

(c) The division shall assign the registration plates to a specific vehicle in lieu of other registration plates for the vehicle and the plates may not be transferred from vehicle to vehicle except as provided for the transfer of registration plates under ORS 481.235. The holder of the plates may transfer the plates to other qualifying vehicles owned by the person without payment of the registration plate transfer fee under ORS 481.235 (3).

(d) Registration stickers of a type described under ORS 481.230, 481.235 or 481.265 shall not be required for the registration plate to be valid.

(6) If special registration is issued under this section, the division shall note on the registration records and on the registration card issued for the vehicle that renewal stickers are not required for the registration to remain valid.

(7) The division may suspend or revoke any registration and registration plates issued under this section if the division determines that registration plates issued under this section are being used for purposes not permitted under this section. Upon revocation or suspension under this subsection, a person to whom such registration plates are issued shall surrender the plates to the division. A person who fails to surrender registration plates to the division when required under this section is subject to the penalties for failure to return suspended or revoked registra-

tion plates under this chapter. [1983 c.201 §2]

481.225 [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; repealed by 1983 c.679 §1 (481.519 to 481.537 and 481.992 enacted in lieu of 481.225)]

481.227 [1977 c.684 §3; repealed by 1983 c.679 §22]

481.230 Issuance of license plates, stickers and registration card; keeping in or on vehicle. (1) Except as provided in ORS 481.170 and 481.224, 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 ORS 481.105 (3) shall be issued.

(2) 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.

(3) 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.

(4) 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.

(5) 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; 1983 c.201 §4]

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]

481.233 Registration plates for elected officials. (1) Upon application by an elected official who qualifies under this section, the division shall issue registration plates described under this section to the official for use on the motor vehicle of the person. Registration plates issued under this section may be displayed on the vehicle of the person in lieu of regular registration plates issued under this chapter.

(2) The following apply to registration plates issued under this section:

(a) The plates shall be of a distinctive design.

(b) The plates shall be assigned to a specific vehicle.

(c) The plates shall be issued in addition to regular registration plates issued under this chapter at the option of the applicant.

(d) The plates shall not be transferable from vehicle to vehicle except as provided by the division by rule.

(e) The plates shall be valid for the term of office of the qualifying official. If the person is elected to a subsequent term of office, the division may provide for validation of the plate for the subsequent term by means of a sticker or by any other means the division determines convenient.

(f) The person to whom the plates are issued may retain the plates after the person's term of office, but the plates shall not be valid if displayed on any vehicle while the person is not holding the office for which the plates were issued.

(3) In addition to any vehicle registration fees and registration plate issuance fees the division collects for registration of a vehicle, the division shall collect an annual fee of \$25 for issuance of registration plates under this section.

(4) Only the following elected officials qualify for issuance of registration plates under this section:

(a) The Secretary of State.

(b) The State Treasurer.

(c) Members of the Oregon Legislative Assembly.

(d) Members of the Oregon Congressional Delegation.

(5) Nothing in this section applies to or affects the authority of the division to issue distinctive registration plates on vehicles owned by this state that are provided for use of the Governor.

(6) The division shall adopt rules necessary to carry out the purposes of this section. [1983 c.678 §6]

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. The division shall refuse to transfer registration plates under this subsection if the division determines that the plates are not from a current issue of registration plates, are not custom registration plates issued under ORS 481.285 or are so old, damaged, mutilated or otherwise rendered illegible as to be not useful for purposes of identification.

(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; 1983 c.678 §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 \$7, 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 481.220, 481.519 to 481.537 and 481.992.

[Amended by 1969 c.605 §34; 1981 c.382 §1]

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 [1959 c.152 §12; 1961 c.255 §1; 1975 c.451 §192; repealed by 1981 c.115 §1]

481.260 Issuance and display of temporary permits. (1) Persons designated by the division under ORS 481.181 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. The division shall by rule specify the procedures to be followed by persons issuing and using temporary permits.

(2) 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.

(3) 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; 1981 c.314 §3; 1983 c.152 §4]

481.265 Size, color, design, material and contents of plates; renewal stickers authorized. (1) The division shall select number or identification plates it issues under this chapter. The plates shall be in the size, form and arrangement and made of materials determined by the division, subject to the following:

(a) The plates shall have a marked contrast between the color of the plates and that of the numerals, letters or characters thereon.

(b) If identification plates are issued, means shall be provided for identifying the vehicle from the front and rear by means of characters or numerals.

(c) 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.

(d) All plates shall contain the distinctive number or characters assigned to the vehicle and the word "Oregon".

(2) The division may provide for designation of the registration period for which the license is issued on the plate by means of a sticker or any other method the division determines appropriate.

(3) The division may provide plates that may be used on a vehicle for successive registration periods when validated by one or more stickers issued by the division.

(4) The division shall determine the size, color and design of stickers used to validate plates under this section and how the stickers are to be displayed on the plates. If more than one sticker is used, one sticker shall bear a distinctive number and another sticker shall bear the registration period for which it is issued. If only one sticker is used the sticker shall bear both a distinctive number and the registration period for which it is issued. A sticker does not validate a plate for any registration period other than as indicated on the sticker. [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; 1981 c.135 §3; 1981 c.297 §2]

481.267 Improper display of validating stickers. (1) The owner or driver of a vehicle on which this chapter requires plates to be displayed as proof of registration commits the offense of improper display of validating sticker if the plates are required to be validated by stickers under ORS 481.265, and:

(a) The stickers are not displayed in the manner required by the division under ORS 481.265; or

(b) Stickers described under ORS 481.265 are displayed on the vehicle after the registration period shown on the stickers.

(2) The offense described in this section, improper display of validating sticker, is a Class D traffic infraction. [1981 c 135 §2]

481.270 Registration fees as substitute for taxes on vehicles; 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 are subject to assessment and taxation under the ad valorem tax laws of this state whether or not registered under this chapter. In addition to any other mobile homes, this subsection applies to mobile homes subject to an exemption under ORS 481.518 (1) to (5). [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; 1983 c.748 §12]

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, towmobiles, 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, atehy 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 ORS 481.205 (6)(c).

(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 Dealer's license required; application procedure. (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 the dealer has a license issued by the division under ORS 481.315 authorizing the dealer to do so.

(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; 1983 c.408 §2]

481.310 Dealer's bond. (1) The bond mentioned in ORS 481.305 (3)(b) shall have a corporate surety licensed to do business within this state. The bond shall be executed to the State of Oregon and shall be in the following sum:

(a) If the applicant is seeking a license to be a dealer exclusively in motorcycles, mopeds or both, the bond shall be for \$2,000.

(b) Except as provided in paragraph (a) of this subsection, if the applicant is seeking a license to be a vehicle dealer, the bond shall be for \$15,000.

(2) A bond described in this section 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.

(3) 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.

(4) All bonds given under the provisions of ORS 481.305 (3)(b) 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.

[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; 1983 c.408 §3]

481.312 When dealer's license and bond not required of manufacturer. (1) Except as otherwise provided in this section, a manufacturer may sell or trade motor vehicles, trailers and semitrailers without obtaining the license and procuring the bond required by ORS 481.305 and 481.310:

(a) If the manufacturer has manufactured the motor vehicles, trailers or semitrailers in Oregon; or

(b) For mobile homes, if the manufacturer has manufactured the mobile homes anywhere.

(2) A manufacturer may sell or trade campers or travel trailers only if the manufacturer is licensed and registered as a dealer. This subsection does not apply where a mobile home that is subject to an exemption under ORS 481.518 (1) to (5) is sold along with the land upon which it is located.

(3) Nothing in this section prohibits a manufacturer who is not required to obtain a dealer license from obtaining a dealer license by following the procedures and obtaining the bond required under ORS 481.305 to 481.340 and 481.993 to 481.995 relating to the issuance of dealer's licenses. [1955 c.697 §6; 1957 c.365 §2; 1959 c.683 §30; 1969 c.605 §40; 1983 c.209 §2; 1983 c.748 §13]

481.315 Issuance of dealer's license; supplemental licenses and records required; inspection of records. (1) The division shall issue a license certificate in accordance with an application, if the application complies with ORS 481.305 and 481.310. Licenses issued under this subsection are valid for a one-year period and shall be renewed as provided by the division. The division may adopt suitable rules for the issuance and renewal of such licenses.

(2) Any licensed dealer shall, before moving any of the dealer's 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 moving 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 this section. However, any licensee moving 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 this section shall make application and pay the fee required for a regular license certifi-

cate in compliance with ORS 481.305 and 481.310.

(3) Every such licensee shall keep a record or book in which the licensee shall keep a record of the purchase, sale, or exchange or receipt for the purpose of sale of any secondhand vehicle that shall include all the following:

(a) A description of such vehicle.

(b) 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.

(c) In the case of motor vehicles, 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.

(d) In the case of a trailer or semitrailer, the vehicle identification number, and such other numbers or identification marks as may be thereon.

(4) A licensee dealing in used vehicles shall also have possession of 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 the licensee until it has been disposed of by the licensee.

(5) The division shall inspect, at reasonable intervals, during normal business hours, the records dealers are required to maintain under 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 police officer, during normal business hours, may inspect the records dealers are required to maintain under 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.

(7) 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; 1983 c.408 §5]

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 and must show all of the following:

(a) The name under which business is conducted.

(b) The location of business including the state, city and county where the business is located.

(c) The 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) The 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. The certificate required by this paragraph 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 the place of business.

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

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

(3) 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 the application and index it alphabetically under the name designated in the application, and also numerically.

(4) Upon the assignment of a registration number to a dealer, the dealer is to be considered as registered. Registration under this section is valid for a one-year period. A dealer shall renew registration as provided by the division.

(5) The division may adopt suitable rules for the issuance and renewal of registration under this section. [Amended by 1983 c.408 §6]

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.

(2) 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.

(3) All movements of mobile homes by dealers shall be by trip permit under ORS 481.177.

(4) 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 ORS 481.210 (1).

(5) Any dealer 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.

(6) 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.

(7) 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. The fees provided under this subsection for the issuance of plates are in addition to the fees required under ORS 481.205 to cover the cost of manufacture of the plate or plates.

(8) 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.

(9) 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; 1983 c.408 §7]

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 [Amended by 1967 c.85 §1; 1971 c.169 §2; 1971 c.529 §23; 1975 c.451 §200; repealed by 1983 c.408 §23]

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 ORS 481.177 (2); 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 under ORS 481.355, 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 a person has applied for and received a license from the division under ORS 481.355, the person shall not do any of the following:

(a) 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.

(b) 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.

(c) 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 the crushing, compacting or shredding of such vehicles.

(3) No new business of the type described in this section 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.

(4) Application for the license under 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 the person's 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.

(5) Any person licensed under this section shall, before expanding the dimensions or moving any of the person's 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 ORS 481.350 (1)(b).

(6) A failure to supply the certification requested by paragraph (e) of subsection (4) of this section or a violation of the requirements of the certification required by paragraph (e) of subsection (4) of this section shall be grounds for revocation of the applicant's license by the division.

(7) 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; 1983 c.408 §12]

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. (1) With the application required by ORS 481.345 the applicant shall:

(a) Pay to the division an annual license fee of \$20.

(b) Deliver to the division a written recommendation executed by the city council, if the business is or will be carried on within an incor-

porated 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. The bond required by this paragraph shall be:

(A) Executed to the State of Oregon;

(B) In the sum of \$2,000;

(C) Approved as to form by the Attorney General; and

(D) Be conditioned that the applicant, if a license is issued to the applicant, shall conduct business without violating ORS 481.430, 481.435 or 481.444.

(2) 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.

(3) Any person suffering any loss or damage by reason of the violation of ORS 481.430, 481.435 or 481.444 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; 1983 c.408 §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 limita-

tions 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 and renewal of wrecker's license. (1) The division shall issue a license certificate in accordance with the application provided for in ORS 481.345 if the application complies with the provisions of ORS 481.345 and 481.350. Licenses issued under this subsection are valid for a one-year period and shall be renewed as provided by the division. The division may adopt suitable rules for the issuance and renewal of such licenses.

(2) The certificate shall be permanently exhibited at the place of business of the applicant at all times while the license is in force.

[Amended by 1955 c.245 §2; 1961 c.524 §3; 1963 c.44 §1; 1973 c.811 §4; 1975 c.261 §1; 1981 c.489 §11; 1983 c.408 §14]

481.360 Wrecker to keep records and evidence of ownership; inspection by division and police. (1) Every person licensed under ORS 481.355 shall keep a record at the person's established place of business in which the person shall keep all the following:

(a) A record and description of every motor vehicle purchased, transferred, wrecked, dismantled, disassembled or substantially altered by the person.

(b) The name and address of the person to or from whom such vehicle was transferred.

(c) The vehicle identification number and such other numbers or identification marks as may be on such vehicle, 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 possess a duly assigned certificate of title, or notification of award of purchase, for the motor vehicle from the time the vehicle is delivered to the person until it is disposed of in accordance with ORS 481.430, 481.435, 481.444 and 481.448.

(3) The division may inspect the books, records and inventory of and the premises used by any business licensed under ORS 481.355 for the purpose of determining compliance with any of the following:

(a) Those laws regulating the licensing of wreckers.

(b) Requirements for records under this section.

(c) ORS 481.370, 481.430, 481.435, 481.444 and 481.448.

(d) Rules adopted by the division concerning businesses licensed under ORS 481.355.

(4) 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; 1983 c.408 §15]

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 and application of ORS 481.380 to 481.400. (1) As used in ORS 481.380 to 481.400:

(a) "Vehicle transporter" means any person regularly engaged in the business of transporting vehicles over the highways of this state.

(b) "Transport" means to drive or tow over the highways of this state a 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.

(2) ORS 481.380 to 481.400 apply to the transport of any vehicle subject to registration under this chapter except the following vehicles:

(a) Vehicles lawfully operated with plates furnished under ORS 481.325.

(b) Vehicles lawfully operated with plates issued under ORS 481.230.

(c) Vehicles being towed by other vehicles lawfully operated with plates issued under ORS 481.833. [1955 c.668 §2; 1975 c.261 §2; 1983 c.408 §16]

481.385 Vehicle transporter's permit and transit plate; when required. (1) A person commits the offense of transporting without a transporter permit if the person does any of the following:

(a) Transports any vehicle over the highways of this state without being the holder of a valid permit issued under ORS 481.390.

(b) Transports any 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 vehicle being transported.

(2) The offense described in this section, transporting without a transporter permit, is a

Class C traffic infraction. [1955 c.668 §3; 1967 c.31 §1; 1975 c.451 §201; 1983 c.408 §17]

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

(2) The division shall issue to the applicant a vehicle transporter's permit upon payment of a fee of \$25. A transporter's permit issued under this subsection is valid for a one-year period and shall be renewed as provided by the division. The division may adopt suitable rules for the issuance and renewal of such permits.

(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; 1983 c.408 §18]

481.393 Revocation of permit. If the division determines that any vehicle transporter has transported mobile homes without first complying with ORS 481.390 (3), 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; 1983 c.408 §19]

481.395 Issuance of transit plate; use; fee. (1) The holder of a valid 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 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 employees.

(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; 1983 c.408 §20]

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 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 described in this section. 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; 1981 c.314 §4]

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 \$7 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 certifi-

cate 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 the security interest holder shall execute and date a release of 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 \$7, 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 interest of the holder or lessor 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; 1981 c.382 §2]

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, ORS 481.518 (1) to (5), the exclusive means of perfecting a security interest in a vehicle covered by a certificate of title is by application for notation of the security interest on the certificate of title in accordance with the provisions of this chapter.

(3) A security interest in a vehicle may not be perfected as described under subsection (2) of this section but is subject to the perfection provisions under ORS chapter 79 if the debtor who granted the security interest is in the business of

selling vehicles and the vehicle constitutes inventory held for sale.

(4) Subject to ORS 481.518 (1) to (5), the rights and remedies of all persons in vehicles covered by this section shall be determined by the provisions of the Uniform Commercial Code.

(5) Except as provided in subsection (6) of this section, a security interest that is perfected as described in subsection (2) of this section is perfected as of the date the application is received by the division. In order to establish the date of perfection under this subsection, the division, at the time the division first processes an application for a security interest, shall mark upon the application the date the division first received the application either by mail or by presentation to any office of the division.

(6) The date the division receives an application to perfect a security interest as described in subsection (2) of this section does not establish the date that the security interest is perfected if the division determines that the application is not in proper form and so indicates upon the application in a manner showing the date placed on the application under subsection (5) of this section is invalid.

(7) A photocopy of an application for perfection of a security interest under this section that is certified by the division is proof of the date of perfection of the security interest unless the date is invalid as provided under subsection (6) of this section. [1977 c.260 §2 (enacted in lieu of 481.412); 1983 c.644 §1; 1983 c.749 §14]

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 the representative or successor, together with evidence satisfactory to the division of all facts entitling such representa-

tive or successor to make such transfer. Upon the receipt of satisfactory evidence of such facts, and a fee of \$7, 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 the last-known post-office address of the owner, of the intention of the security interest holder 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, the parent or guardian of the heir 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 \$7, the division shall issue a new certificate of title and registration card.

[Amended by 1965 c.343 §12; 1971 c.117 §1; 1981 c.382 §3]

481.420 [Amended by 1955 c.697 §4; 1975 c.451 §205; repealed by 1981 c.314 §7]

481.423 Transfer of certificate of title to a mobile home. (1) Subject to subsection (3) of this section, 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) Subject to subsection (3) of this section, 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 current taxes which were assessed after January 1, 1974, and which are a lien on the mobile home or which will become a lien on the mobile home during the calendar year in which the transfer is requested 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.

(3) Nothing in this section applies to or places any limitation on title actions involving the deletion or addition of a coowner or security interest holder.

(4) This section is applicable to mobile homes subject to an exemption under ORS 481.518 (1) to (5) as provided by rule of the division adopted under ORS 481.518 (1) to (5). [1969 c.605 §56; 1971 c.529 §10; 1973 c.91 §3; 1983 c.311 §8; 1983 c.748 §15]

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 who is not a wrecker licensed under ORS 481.355 shall wreck, dismantle or disassemble any motor vehicle, or substantially alter its form, the person shall give notice in writing of the 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, the wrecker 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; 1983 c.408 §21]

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 30 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; 1983 c.408 §22]

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 ORS 484.010 (7) 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 either of the following occur:

(a) The vehicle is being dismantled with the intention of never again operating it as a vehicle.

(b) The vehicle is damaged to the extent that the cost of labor and repair with new or remanufactured parts is more than the following:

(A) For vehicles that are damaged within four years of the model year during which the vehicle was manufactured, the cost must be 80 percent or more of the market value of the vehicle immediately prior to the accident or occurrence.

(B) For vehicles other than those described in subparagraph (A) of this paragraph, the cost must exceed by \$500 or 10 percent, whichever is greater, the market value of the vehicle immediately prior to the accident or occurrence.

(5) For purposes of paragraph (b) of subsection (4) of this section:

(a) The cost of labor, repair and parts shall be as reflected in publications relied upon by the automobile repair industry.

(b) The market value of a vehicle shall be as reflected in publications relied upon by financial institutions doing business in this state.

(c) A remanufactured part is a used part that has been restored to replacement equivalency by an industrial rebuilding technique and that has

an ascertainable market value. [1973 c.811 §9; 1975 c.417 §4; 1977 c.610 §2; 1979 c.518 §15; 1983 c.663 §3]

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 and special use trailers, campers and motor homes. (1) The biennial registration fee for:

(a) Travel trailers, campers and motor homes 6 to 10 feet in length is \$36.

(b) Special use trailers 6 to 10 feet in length is \$20.

(2) The biennial registration fee for:

(a) Campers and travel trailers over 10 feet in length is \$36 plus \$3 a foot for each foot of length over the first 10 feet.

(b) Special use 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 \$56 plus \$3 a foot for each foot of length over the first 10 feet.

(4) Travel trailers and special use 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; 1983 c.311 §9; 1983 c.363 §1; 1983 c.449 §2]

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

481.460 Registration fee for mobile homes. The registration fee for a mobile home is \$10. This fee is payable with each change of registration. [1959 c.683 §9; 1961 c.410 §1; 1969 c.605 §5; 1971 c.529 §20; 1979 c.322 §10; 1983 c.311 §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 Trip permit for moving mobile home out of state. The owner of a mobile home who desires to move the 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 a trip permit for the movement of the mobile home. [1971 c.529 §18; 1983 c.311 §11]

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 ORS 481.105 (3);

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

(3) All movements indicated by trip permits filed with the division; and

(4) Information on mobile homes subject to an exemption under ORS 481.518 (1) to (5) that the division determines necessary. [1971 c.529 §19; 1983 c.748 §16]

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. Except as provided under ORS 481.518 (1) to (5), 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; 1983 c.748 §17]

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. Except as provided under ORS 481.518 (1) to (5), 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; 1983 c.748 §18]

481.510 [Repealed by 1959 c.664 §30]

481.512 Campers and travel trailers subject to registration and licensing exempt from ad valorem tax; effect of failure to renew. (1) Campers and travel trailers subject to registration and licensing under this chapter shall not be subject to ad valorem taxation except as provided in ORS 308.880, and once a camper or travel trailer has been licensed and registered under this chapter, the owner shall continue currently to register it and have it licensed except as provided in ORS 308.880.

(2) If an owner of a licensed and registered camper or travel trailer fails to keep its registration and license current, the division shall not renew the registration, transfer the certificate of title or issue a duplicate certificate of title until the division receives all unpaid registration fees. [1969 c.605 §42; 1971 c.529 §3; 1979 c.767 §3; 1981 c.305 §1; 1983 c.311 §12]

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]

481.518 Procedure for mobile home owner who owns land to be exempted from registration and title requirements.

(1) The division shall establish by rule procedures for the owner of a mobile home that is located on land in which the owner of the mobile home has record title to obtain an exemption from any requirements to register and title the mobile home under this chapter. Rules adopted by the division shall include the following:

(a) Provisions for surrender of the title and registration of such mobile home that is currently registered and titled to the county assessor of the county where the mobile home is located for delivery to the division.

(b) Provisions whereby the purchaser of a new mobile home that is located on land owned by the purchaser may obtain the exemption under subsections (1) to (5) of this section without having to register and title the mobile home under this chapter.

(c) Provisions for registration and titling of a mobile home that has been subject to an exemption under subsections (1) to (5) of this section so that the mobile home may be sold separately from the land upon which it is located.

(d) Provisions for notification of the county assessor of the county where a mobile home that is subject to an exemption obtained under subsections (1) to (5) of this section is located so that the assessor may perform the assessor's duties relating to the mobile home in a manner consistent with subsections (1) to (5) of this section.

(e) Provisions for notification of any holders of security interests in mobile homes for which an exemption is obtained under this section so that the security interest holders may protect the security interest.

(f) Provisions for notification of any holders of a mortgage on land upon which a mobile home is located if the mobile home is registered with the division after being subject to an exemption under subsections (1) to (5) of this section.

(g) Any other procedures the division determines necessary to carry out the purposes of subsections (1) to (5) of this section.

(2) If an exemption is obtained for a mobile home under this section, the following apply:

(a) Except as otherwise provided in subsections (1) to (5) of this section or by the rules of the division, the mobile home upon obtaining the exemption under subsections (1) to (5) of this section shall become subject to the same provisions of law in this state that would apply to any other building, housing or structure on the land.

(b) After obtaining the exemption, the mobile home may not be sold separately from the land upon which the mobile home is located and may not be moved unless registered and titled under this chapter or unless otherwise provided by rule of the division.

(c) Nothing in subsections (1) to (5) of this section affects any lien or security interest in a mobile home that is exempted under subsections (1) to (5) of this section if the security interest or lien attaches before the exemption is obtained.

(3) The division shall only allow mobile homes that were manufactured after June 15, 1976, to be exempted as provided under subsections (1) to (5) of this section.

(4) Subsections (1) to (5) of this section do not grant authority to change or alter construction standards applicable to mobile homes. A mobile home that is exempted as provided under subsections (1) to (5) of this section shall be subject to the same construction standards applicable to other mobile homes.

(5) Every official, officer and employe of this state or any agency of this state shall cooperate with the division as requested by the division for purposes of carrying out the purposes of this section and shall establish such rules or procedures as are consistent with the authority of the official, officer or employe for purposes of carrying out the intent of subsections (1) to (5) of this section.

(6) Notwithstanding any other provision of law, the Motor Vehicles Division may take any reasonable amount of time the division determines necessary to implement the procedures required by subsections (1) to (5) of this section. The division may implement the procedures in stages, may place initial limits on the applicability of the procedures or may take any other administrative steps the division considers convenient for the division in order to provide an orderly and consistent implementation of the procedures developed for purposes of subsections (1)

to (5) of this section. As necessary, the division may delay the implementation of procedures when the division determines that certain procedures may require legislation in order to fully carry out the purposes of subsections (1) to (5) of this section. [1983 c.748 §§2, 3]

FARM VEHICLE REGISTRATION

481.519 Farm vehicle registration. Any farmer who is the owner, as defined in ORS 481.040, of a vehicle may apply to the division for, and upon payment of appropriate fees may receive farm vehicle registration described in this section to operate the vehicle. Farm vehicle registration is subject to the following as described:

(1) Application is as provided under ORS 481.526.

(2) Qualification is as provided under ORS 481.523.

(3) The fees are as provided under ORS 481.531.

(4) The registration period is as provided under ORS 481.531.

(5) The procedure for renewal is as provided under ORS 481.527.

(6) Once registered under a farm vehicle registration a vehicle may be used only for purposes described under ORS 481.521. Violation of limits imposed on use is punishable as provided under ORS 481.992 (1) and (2).

(7) Vehicles are exempt from or subject to regulation under ORS chapter 767 as provided in ORS 767.030.

(8) Special plates may be issued for the vehicle as described under ORS 481.528.

(9) Transfer is subject to ORS 481.533.

(10) The registration may be canceled as provided under ORS 481.537. [1983 c.679 §2 (481.519 to 481.537 and 481.992 enacted in lieu of 481.225)]

481.520 [Repealed by 1959 c.664 §30]

481.521 Permitted uses. This section establishes the uses allowed for vehicles registered under ORS 481.519. Vehicles with farm vehicle registration may only be used for purposes described in this section. Uses permitted on a farm under this section are also permitted on one or more farms, orchards or ranches of the qualifying farmer. Violation of the limits established under this section is subject to penalty under ORS 481.992 (1) and (2). The following describes the uses permitted vehicles registered under ORS 481.519:

(1) The vehicles may be used in transporting the farmer's own agricultural commodities, agricultural products or livestock that were originally grown or raised by the farmer on the farmer's own farm. This subsection includes products of such commodities, products or livestock that were packed, processed or manufactured on the farmer's farm but does not include products that have been transformed into a finished state on the farm.

(2) The vehicles may be used in any transportation that is incidental to the regular operation of the farmer's farm.

(3) The vehicles may be used to transport supplies, equipment or materials to the farmer's farm that are consumed or used on the farm.

(4) The vehicles may be used in transporting forest products to the farmer's own farm or transporting for any purpose forest products originating on the farmer's farm. The only forest products included under this subsection are forest materials originating on a farm or as an incident to the regular operation of a farm.

(5) The vehicles may be used in the transportation of products, supplies, equipment or materials for another farmer who qualifies under ORS 481.523 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 the farm.

(6) The vehicles may be operated for the personal use of the farmer, any member of the farmer's immediate family or any person in the farmer's employ.

(7) The vehicles shall not be used to transport any of the following:

(a) Piling.

(b) Poles over 30 inches in circumference at the large end.

(c) Except as otherwise provided in this paragraph, logs over eight feet six inches in length. A vehicle may be used to transport logs over eight feet six inches but not over 16 feet 6 inches in length if the vehicle has a loaded weight of 16,000 pounds or less.

(8) The vehicles may be partially operated under a permit issued under ORS 767.030 for purposes allowed under the permit. When operated under a permit issued under ORS 767.030, the vehicles are subject to ORS chapter 767 and regulation by the Public Utility Commissioner as described in ORS 767.030. [1983 c.679 §3 (481.519 to 481.537 and 481.992 enacted in lieu of 481.225)]

481.523 Qualification of applicant. To qualify for issuance of registration described under ORS 481.519, a person must be engaged, either as owner or renter in operating one or more farms, orchards or ranches actually producing agricultural products or raising livestock in sufficient quantities to reasonably require the use of the motor vehicle or vehicles for which the farm vehicle license is sought. Cooperative corporations or associations organized under the provisions of ORS chapter 62 or corporations or subsidiaries of corporations do not qualify for the issuance of licenses described under ORS 481.519 if owned by more than 100 shareholders. As used in this section, "shareholder" and "shares" have the same meaning given those terms in ORS 57.004. [1983 c.679 §5 (481.519 to 481.537 and 481.992 enacted in lieu of 481.225)]

481.525 [Repealed by 1959 c.664 §30]

481.526 Form of application. Application for issuance of registration described under ORS 481.519 shall be made upon forms prepared by the division and certified to by the applicant and shall include all of the following:

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

(2) The specific location and number of acres as shown on the latest county real property tax statements in the one or more farms, orchards or ranches upon which the vehicle sought to be registered is to be used.

(3) The type of agricultural commodities, agricultural products or livestock produced and amounts produced annually on the one or more farms, orchards or ranches upon which the vehicle sought to be registered is to be used.

(4) The number of trucks used on the one or more farms, orchards or ranches upon which the vehicle sought to be registered is to be used and the light weight and gross weight of the vehicle being registered as used individually and in combination.

(5) A statement that the vehicle:

(a) Will be used for one or more of the purposes specified under ORS 481.521.

(b) Will not be used, at any time while registered under ORS 481.519, for any other purpose or for the transportation of any other commodities or products for hire except as provided under ORS 767.030.

(c) Is needed in the operation of the one or more farms, orchards or ranches upon which the vehicle sought to be registered is to be used.

(6) Any other information required by the division.

(7) Additional information required by law or by the division in making an application for regular registration for the vehicle.

(8) The application shall contain or be verified by a written declaration that it is made under penalties for false certification. Violation of this subsection is subject to penalties under ORS 481.992 (6) and (7). [1983 c.679 §6 (481.519 to 481.537 and 481.992 enacted in lieu of 481.825)]

481.527 Renewal of registration. (1) Application for renewal of registration described under ORS 481.519 shall consist of a certified statement that the use of the vehicle complies with the requirements and restrictions of vehicles registered under ORS 481.519.

(2) False certification under this section is subject to penalty under ORS 481.992 (6) and (7). [1983 c.679 §7 (481.519 to 481.537 and 481.992 enacted in lieu of 481.225)]

481.528 Design of plates. The division is authorized to procure and furnish registration plates of a special design to be used in connection with registration issued under ORS 481.519. [1983 c.679 §8 (481.519 to 481.537 and 481.992 enacted in lieu of 481.225)]

481.530 [Repealed by 1959 c.664 §30]

481.531 Registration period; how fee determined. The registration period for registration under ORS 481.519 is an annual registration period. The registration fee for registration described under ORS 481.519 is for the registration period and shall be based upon the following, using the light weight of the vehicle:

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

(2) Over 4,500 pounds, 60 cents per 100 pounds or fraction thereof. [1983 c.679 §9 (481.519 to 481.537 and 481.992 enacted in lieu of 481.225)]

481.533 Effect of sale of vehicle. Upon sale of a vehicle registered under ORS 481.519, the registration plates shall be deemed void and shall be removed and surrendered to the division for cancellation by the new owner as required under ORS 481.992 (3) to (5). However, if the new owner makes application under ORS 481.519 and qualifies under ORS 481.523 the registration plates on the vehicle at the time of sale may remain on the vehicle and shall be valid for the balance of the registration period. [1983 c.679 §10 (481.519 to 481.537 and 481.992 enacted in lieu of 481.225)]

481.535 [Repealed by 1959 c.664 §30]

481.537 Powers of division. The division shall have the authority to investigate and verify information provided in conjunction with application for registration under ORS 481.519. The division may cancel the registration of any vehicle that has registration issued under ORS 481.519 if the owner or a lessee or an employe of either is convicted of violation of ORS 481.992 or if the division determines that such person has violated ORS 481.992 whether or not the person is convicted for the violation. If registration is canceled under this section, the vehicle shall not again be eligible for registration under ORS 481.519 for a period of one year after the cancellation. [1983 c.679 §15 (481.519 to 481.537 and 481.992 enacted in lieu of 481.225)]

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 ORS 481.015 (3) and 481.040 (1), (2), (3) and (4) 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 insignie; 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 ORS 481.210 (4) but shall not be paid on a quarterly basis as provided in ORS 481.205 (2).

(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 provi-

sions 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 limitation, 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]

TITLING AND REGISTRATION OF SNOWMOBILES

481.770 Definitions for ORS 481.770 to 481.810 and 481.998. As used in ORS 481.770 to 481.810 and 481.998, 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]

481.773 Titles for snowmobiles; form; fees; exceptions. (1) The division shall provide for the issuance of titles for snowmobiles. The following provisions relating to titling shall be the same for snowmobiles as for other vehicles:

(a) Fee for issuance.

(b) Provisions relating to transfer of snowmobiles, including security interests and other types of transfer, fees for transfer, time limits for transfer and responsibility for making transfer and submitting documents.

(c) Information required to be placed upon a certificate of title for a snowmobile, except

where the division determines such information would be inappropriate.

(d) Party to whom a certificate of title is issued upon original issuance or transfer.

(e) Validity times and requirements.

(f) Title provisions relating to destroyed vehicles.

(g) Any provisions relating to title that are applicable to other vehicles under this chapter and that the division determines, by rule, to be necessary to assure that the titling of snowmobiles is administered in the same manner and has the same effect as the titling of other vehicles.

(2) Application for issuance of a certificate of title for a snowmobile shall be made in the manner and upon forms prescribed by the division. The division may require any information in the application the division determines is reasonably necessary to determine ownership or right to title for a snowmobile. The division may provide for application for title separately from or with application for snowmobile registration or in any way the division determines appropriate.

(3) Snowmobile dealers shall accept application and fees for title of a snowmobile from each purchaser of a new or used snowmobile in a manner required by the division.

(4) The requirements to title a snowmobile under subsections (1) to (3) of this section and ORS 481.998 do not apply to a snowmobile if the snowmobile is any of the following:

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

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

(c) Owned by a resident of another state if the snowmobile is titled 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 titled in this state. This subsection does not exempt snowmobiles from titling requirements if the snowmobiles are required to be registered in this state under ORS 481.780 (1)(c).

(d) A new snowmobile that is in the possession of a dealer for purposes of sale or display.

[1983 c.288 §§4, 5]

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 and 481.775 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 481.775, 481.785 or 481.790 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 481.775, 481.785 or 481.790.

(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; 1983 c.288 §1]

481.785 Application for registration; transfers; nonresident registration; fees; fees in lieu of taxes; effect on local registration or fees. (1) Application for registration shall be made to the division in the manner and upon the forms the division prescribes. Snowmobile dealers shall accept the application and fees for registration from each purchaser of a new or used snowmobile. 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, shall contain proof of title and shall be accompanied by a registration fee of \$10. The division shall not issue any registration for a snowmobile unless the snowmobile has been issued a title in compliance with ORS 481.773 (1) to (3) and 481.998. Upon receipt of the application and the application fee, the division shall register the snowmobile and assign a registration number. Upon the sale of a snowmobile by a

dealer, the dealer may issue a temporary registration as provided by rules of the division.

(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 registration in the manner the division prescribes, for an additional period of two years, upon payment of a renewal fee of \$10.

(3) The transfer of a snowmobile that is already validly registered under ORS 481.770 and 481.775 to 481.800 is subject to the same provisions for transfer described under ORS 481.773 (1) to (3).

(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 \$7. 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; 1981 c.382 §4; 1983 c.288 §6]

481.790 Registration of dealers; fees; dealer plates. (1) Each dealer, except as provided in ORS 481.785, shall be subject to the same provisions as motorcycle dealers licensed under ORS 481.305 to 481.340, except that:

(a) The registration fee for snowmobile dealers shall be \$25 per year; and

(b) Every dealer plate issued to a snowmobile dealer shall require a fee of \$3.

(2) No dealer shall sell any snowmobile at wholesale or retail, or test or demonstrate any snowmobile, within the state, unless registered in accordance with the provisions of this section.

(3) A person who violates any provision of this section commits a Class A misdemeanor. [1971 c.618 §8; 1975 c.451 §209; 1983 c.288 §7]

481.795 Original registration numbers permanent; registration tags. (1) The registration number assigned to a snowmobile at

the time of the 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 registered 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; 1983 c.288 §8]

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 the snowmobile in a manner prescribed by the division. The numbers displayed shall be in the form of painted numbers or decals 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; 1983 c.288 §9]

481.805 Disposition of snowmobile fees. Of the money collected by the division under ORS 481.770 and 481.775 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, 481.775 to 481.800 and 483.725 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 483.991 (3), 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; 1983 c.288 §10]

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 ORS 481.805 (1), shall retain, and the division is authorized to expend from, the money collected under ORS 481.075, 481.770 and 481.775 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 ORS 481.805 (2). [1971 c.618 §26; 1977 c.475 §5]

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

PERMITS FOR TOWING OR RECOVERING WRECKED OR ABANDONED VEHICLES

481.827 Permit required for business of towing or recovering certain vehicles; exceptions. (1) A person commits the offense of operating an illegal towing business if the person does not hold a permit issued under ORS 481.829 and the person does any of the following:

(a) Engages in the towing or recovering of vehicles by any means for any direct or indirect compensation when the vehicle being towed or recovered is owned by a person other than the person performing the towing or recovery activity.

(b) Engages in towing or recovering by any means, as part of any business operation of the person, vehicles that are wrecked, damaged, disabled or abandoned or replacement vehicles.

(c) Purports in any way to be engaged in the business of performing activities described in this subsection.

(2) This section does not apply to any of the following:

(a) Persons operating under and within the scope of a transporter permit issued under ORS 481.380 to 481.400.

(b) A person who provides assistance to another motorist, whether or not compensation is received, if the assistance is not provided as part of the business operation of the person providing the assistance.

(c) A person engaging in any activity relating to a vehicle in which that person holds a security interest.

(3) The offense described in this section, operating an illegal towing business, is a Class A misdemeanor. [1981 c.489 §2; 1983 c.436 §5]

481.829 Application for permit; requirements. An applicant shall make application upon a form and in such a manner as the division prescribes. Application shall be accompanied by the fee established under ORS 481.847. The division shall issue a permit to each applicant who furnishes evidence to the division of the applicant's satisfactorily meeting the following requirements:

(1) The applicant certifies to the division that the applicant possesses insurance in amounts and providing coverage of the type required for motor carriers under ORS chapter 767.

(2) The applicant certifies to the division that the applicant possesses insurance providing \$15,000 coverage for cargo transported by the applicant. An applicant is not required to comply with this subsection if the applicant tows or recovers only vehicles that are owned by the applicant.

(3) The vehicles used by the applicant for the purposes of towing or recovering services meet the minimum safety requirements established by the division by rule. [1981 c.489 §3; 1983 c.436 §6]

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

481.833 Distinctive registration plates and stickers for vehicles under permit. (1) The division shall provide for distinctive registration plates and stickers for vehicles used for towing and recovering vehicles by persons required to hold a permit under ORS 481.827 and, upon payment of the fee for plates and stickers issued under this chapter, shall issue the plates and stickers to persons holding permits under ORS 481.827 to 481.853.

(2) Plates and stickers issued under this section shall be appropriately distinctive as determined by the division by rule.

(3) Persons issued a permit under ORS 481.827 to 481.853 shall display plates and stickers issued under this section upon each vehicle used to tow or recover vehicles. [1981 c.489 §3a; 1983 c.436 §7]

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

481.837 Permit in addition to requirements under ORS chapter 767. The permit required under ORS 481.827 to 481.853 and the regulation of persons by the division under those sections is in addition to any permits or authority required or rules imposed under ORS 767.110 or any other provision of ORS chapter 767. [1981 c.489 §4; 1983 c.436 §8]

481.839 Permit certificate; expiration; renewal. (1) A person possesses a valid permit when the division issues a permit certificate.

(2) A permit issued under ORS 481.827 to 481.853 expires one year from the date of issuance.

(3) A person whose permit expires under this section must qualify for a permit in the same manner as a person who has not previously acquired a permit unless the person renews the permit through payment of the permit renewal fee established under ORS 481.847 prior to the expiration date. [1981 c.489 §5; 1983 c.436 §9]

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

481.843 Grounds for denial, suspension, revocation or refusal to issue or renew permit. The division may deny, suspend, revoke or refuse to issue or to renew any permit issued under ORS 481.827 to 481.853 upon proof that the person:

(1) Used fraud or deception in securing a permit.

(2) Receives in any manner or by any device any rebate or other additional fee for towing or recovery from a person who performs repairs on

a vehicle who does not also own the vehicle. This subsection does not prohibit the payment of the towing fee by a person who performs repairs on a vehicle if the fee is included in the charges by that person for the repairs of the vehicle.

(3) Violates any provision of ORS 481.827 to 481.853.

(4) Uses vehicles for the purposes of towing or recovering services that do not meet the minimum safety standards established by the division. [1981 c.489 §6, 1983 c.436 §10]

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

481.847 Fees. The division shall collect from each applicant fees for the following:

(1) A permit application fee of \$35 for each vehicle used by the applicant for towing or recovery purposes.

(2) A permit renewal fee of \$35 for each vehicle used by the applicant for towing or recovery purposes. [1981 c.489 §7]

481.849 Application of ORS 481.827 to 481.853 to employes and to unlicensed vehicles. (1) Notwithstanding subsection (2) of this section, nothing in ORS 481.827 to 481.853 applies to a person in the performance of the person's official duties as an employe of a person issued a permit under ORS 481.827 to 481.853.

(2) Notwithstanding any other provision of ORS chapter 481, a person issued a permit under ORS 481.827 to 481.853, or a person in the performance of the person's official duties as an employe of a person issued a permit under ORS 481.827 to 481.853, may tow an unlicensed vehicle over the highways of this state, without first obtaining registration for the vehicle or a trip permit required under ORS 481.177. The provisions of this subsection apply only to persons holding a permit issued under ORS 481.827 to 481.853. [1981 c.489 §8; 1983 c.436 §11]

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

481.853 Application of ORS 481.827 to 481.849 to local government. Except as otherwise provided in this section, the provisions of ORS 481.827 to 481.849 are exclusive and no city, county or other political subdivision shall regulate or require or issue any registration, licenses, permits or surety bonds or charge any fee for the regulatory or surety registration of any person required to obtain a permit from the division under ORS 481.827 to 481.849. This section does not:

(1) Limit any authority of a city or county to license and collect a general and nondiscriminatory license fee levied upon all businesses or to

levy a tax based upon business conducted by any person within the city or county.

(2) Limit any authority of the Public Utility Commissioner of Oregon to regulate motor carriers under ORS chapter 767 including those carriers issued permits under ORS 481.827 to 481.849.

(3) Limit the authority of any city or county to impose any requirements or conditions as part of any contract to perform towing or recovering services for the city or county. [1981 c.489 §10]

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]

481.885 481.885 [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 ORS 184.615 (2), 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 necessary 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 wreck-

ers' 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 Power of administrator to designate deputy. 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. 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 depart-

ment 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 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 subdivisions of the division from the Stores Revolving Account for the purpose of supplying current requirements of various subdivisions of the division, the cost of which shall be reimbursed to the revolving account through charges made from time to time to the various subdivisions of the division on the basis of actual usage. The maximum amount of the Stores Revolving Account is \$200,000 and the moneys in such account are appropriated continuously for the purposes of this section. [1957 c.379 §1; 1961 c.119 §1; 1981 c.314 §5; 1983 c.740 §194]

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, any other statute administered by the division and ORCP 7 D.(4). 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 ORS 319.410 (2) and 482.250 (4) and (5), 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 ORS 319.410 (2) and 482.250 (4) and (5), 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; 1981 c.898 §49]

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 \$25,000, 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; 1981 c.314 §6]

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, ORS chapters 319, 482 and 486 and ORCP 7 D.(4), 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; 1981 c.898 §50]

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, 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, 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 the person 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 the 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 the person knows or has reason to believe has been stolen, receives or transfers possession of such vehicle, or who has in possession any vehicle which the person 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 the person's 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; subsection (11) enacted as 1981 c.489 §9; 1983 c.436 §12; 1983 c.740 §195]

481.992 Penalties affecting farm vehicle registration. (1) A person commits the offense of violation of farm registration limits if the person uses or owns and permits to be used a vehicle registered under ORS 481.519 for purposes other than purposes described under ORS 481.521.

(2) The offense described under subsection (1) of this section, violation of farm registration limits, is a Class A misdemeanor.

(3) A person commits the offense of failure to surrender farm registration plates if the person is the new owner of a vehicle with registration under ORS 481.519 and the person does not remove from such vehicle the registration plates and surrender the plates to the division.

(4) Registration plates surrendered to the division under subsections (3) to (5) of this section may be reissued to the person by the division as provided under ORS 481.994.

(5) The offense described in subsections (3) to (5) of this section, failure to surrender farm registration plates, is a Class A misdemeanor.

(6) A person commits the offense of false swearing on farm registration or renewal if the person knowingly certifies falsely to any information on any application for issuance or renewal of registration under ORS 481.526 or 481.527.

(7) The offense described in subsection (6) of this section, false swearing on farm registration or renewal, is a Class A misdemeanor. [1983 c.679 §§11, 12, 13 (481.519 to 481.537 and 481.992 enacted in lieu of 481.225)]

481.993 Penalties affecting unlawful display or sale without license. (1) A person commits the offense of unlawful display or sale of a vehicle without a vehicle dealer license if the person is not a vehicle dealer issued a license under ORS 481.315 and the person does any of the following:

(a) Displays a new or used motor vehicle, trailer or semitrailer for sale.

(b) Acts as any type of agent for the owner of a vehicle to sell the vehicle or acts as any type of an agent for a person interested in buying a vehicle to buy a vehicle.

(2) The following people are not subject to any prohibition or penalty under this section:

(a) A person who is excluded from the definition of dealer in ORS 481.015 (3) or (8).

(b) A person who receives no money, goods or services, either directly or indirectly, for displaying a vehicle or acting as an agent.

(3) The offense described in this section, unlawful display or sale of a vehicle without a vehicle dealer license, is a Class A misdemeanor. [1983 c.408 §9]

481.994 Penalty affecting illegal consignment practices. (1) A vehicle dealer commits the offense of illegal consignment practices if the dealer does any of the following:

(a) Takes a vehicle on consignment and does not have proof that the consignor is the registered owner, a security interest holder or lessor of the vehicle.

(b) Takes a vehicle on consignment from a security interest holder without the security interest holder first completing a repossession action prior to consigning the vehicle and providing the dealer with proper documentary proof of the repossession action.

(c) Takes a vehicle on consignment and does not have the terms of the consignment agreement in writing and provide a copy of the agreement to the consignor.

(d) Sells a vehicle that the dealer has on consignment and does not pay the consignor within 30 days of the sale.

(e) Sells a vehicle that the dealer has on consignment and does not provide the purchaser with the title to the vehicle or apply to the division in the purchaser's name for title to the vehicle within 30 days of the sale.

(f) Does not allow the division or any duly authorized representative to inspect and audit any records of any separate accounts into which the dealer deposits any funds received or handled by the dealer or in the course of business as a

dealer from consignment sale of vehicles at such times as the division may direct.

(g) Takes any part of any money paid to the dealer in connection with any consignment transaction as part or all of the dealer's commission or fee until the transaction has been completed or terminated.

(h) Does not make arrangement for the disposition of money from a consignment transaction with the seller at the time of establishing a consignment agreement.

(2) The offense described in this section, illegal consignment practices, is a Class A misdemeanor. [1983 c.408 §10]

481.995 Penalty affecting consigned vehicle transfer. (1) A person commits the offense of violation of a consigned vehicle transfer if the person consigns a vehicle to a vehicle dealer and the person fails or refuses to deliver the title for the vehicle to the dealer or purchaser upon sale of the vehicle under consignment.

(2) The offense described in this section, violation of a consigned vehicle transfer, is a Class A misdemeanor. [1983 c.408 §11]

481.996 Penalty affecting failure to surrender foreign registration. (1) A person commits the offense of failure to surrender foreign registration, if the person registers a vehicle in this state that has been registered in another state or country and the person does not surrender to the division all number plates, seals, certificates of registration or other evidences of the former registration in possession or control of the applicant.

(2) The offense described in this section, failure to surrender foreign registration, is a Class D traffic infraction. [1983 c.145 §6]

481.997 Penalty applicable to conduct of an illegal vehicle rebuilding business. (1) A person commits the offense of conducting an illegal vehicle rebuilding business if the per-

son is not the holder of a valid current dealer's license issued under ORS 481.305 and the person does any of the following as part of a business:

(a) Buys, sells or deals in assembled, reconstructed or substantially altered motor vehicles.

(b) Engages in making assembled, reconstructed or substantially altered vehicles from motor vehicle components.

(2) This section does not apply to the following persons or vehicles:

(a) An insurance adjuster authorized to do business under ORS 744.505 or 744.515 who is disposing of vehicles for salvage.

(b) A person who assembles, rebuilds or reconstructs not more than two vehicles in any one-year period.

(c) Roadrollers, farm tractors, trolleys, traction engines, implements of husbandry, well-drilling machinery, fire wagons or fire engines.

(d) Motor vehicles that are not of a type required to be licensed by this chapter.

(e) The holder of a wrecker's license issued under ORS 481.345.

(3) The offense described in this section, conducting an illegal vehicle rebuilding business, is a Class A misdemeanor. [1983 c.663 §2]

481.998 Penalty for failure to title snowmobile. (1) A person commits the offense of failure to title a snowmobile if the person is the owner of a snowmobile that is in this state or is operating a snowmobile at any place in this state and the snowmobile has not been issued a title as provided under ORS 481.773 (1) to (3).

(2) Exemptions from this section are provided under ORS 481.773 (4).

(3) The offense described in this section, failure to title a snowmobile, is a Class C traffic infraction. [1983 c.288 §3]

