

Chapter 803

1987 REPLACEMENT PART

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CROSS REFERENCES

- Administration by Motor Vehicles Division of functions under ORS Ch 803, 802 010
- Drug offense, seizure of vehicle used in violation, 167 247
- Financial responsibility law, Ch 806
- Exemption for vehicles certified by owner as not used on highways, 806 020
- Forest protection agencies, property exempt from taxation 307 125
- Juvenile court, handling of motor vehicle offenses 419 535 to 419 541, 809 370
- Motor carriers, Ch 767
- Recording of document not to create lien affect title or constitute notice except as authorized by law, 87 920
- Revocation and suspension of driving privileges by Motor Vehicles Division, 809 410
- School vehicles required to meet standards of Department of Education, 820 130, 820 140
- Suspension or cancellation of vehicle registration, 809 010 to 809 130
- Unauthorized use of motor vehicle, 164 135
- 803 030**
- Exemption from registration requirements of golf carts operated by disabled persons, 820 210
- 803 095**
- Motor vehicle retail instalment contract, evidence of satisfaction, 83 610
- 803 200**
- Suspension of driving privileges of nonresident 809 490
- 803 420**
- Fees for motor carriers, Ch 767
- Fees for vehicles used by produce dealers or bakers 585 050 to 585 180
- Vehicle equipment standards, Ch 815, 816
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- 803 600 Trip permits, authority granted, types, records, when not required

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TITLES (General)

803.010 Certificate of title as proof of ownership. A certificate of title is prima facie evidence of the ownership of a vehicle or of an interest therein. In all actions, suits or criminal proceedings, when the title to or right of possession of any vehicle is involved, proof of the ownership or right to possession shall be made by means of

(1) The original certificate of title issued by the division, or

(2) The division records as provided under ORS 802.240 [1983 c.338 §174]

803.015 Certificate contents. The division shall design a certificate of title for vehicles. A certificate of title issued by the division shall conform to all of the following

(1) The certificate shall be numbered in a manner prescribed by the division

(2) The certificate shall contain a description of the vehicle

(3) The certificate shall contain evidence of identification of the vehicle the division deems proper

(4) The certificate shall contain the name of the registered owner of the vehicle

(5) The certificate shall identify any security interest holders in the order of their priority. This subsection does not apply to the security interests where the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale

(6) The certificate shall identify any lessor of the vehicle

(7) The certificate shall be authenticated by a seal of the State of Oregon printed on the certificate

(8) The certificate shall have space to fill in information required by the division for the transfer of a vehicle under ORS 803.095 and may include space for the information required for odometer readings on transfer under ORS 815.400

(9) If the vehicle is a reconstructed vehicle, the certificate shall

(a) Show the original year model and make of the vehicle

(b) Indicate that the vehicle is reconstructed. A certificate of title shall not indicate that a

vehicle is reconstructed as otherwise required by this paragraph if the reconstructed vehicle is an antique vehicle

(10) If the vehicle is an assembled vehicle, the certificate shall

(a) Show the make of the vehicle as "assembled"

(b) Show the year the building of the vehicle is completed as the year model of the vehicle

(11) The certificate shall show the mileage of the vehicle at the time of the most recent title transfer. The information required by this subsection shall be shown as reported to the division on odometer reading reports required by law to be submitted to the division

(12) If the vehicle is a replica, the certificate shall indicate that the vehicle is a replica

(13) The certificate shall contain a notation that a vehicle has been damaged if the vehicle is from another jurisdiction and

(a) The title certificate from the other jurisdiction carries a brand or notation that indicates that the vehicle was damaged, destroyed, salvaged or words of similar import, whether or not the definitions of such terms in the other jurisdiction are in accord with the definitions of those words in Oregon, or

(b) The division receives a salvage title, salvage certificate, wrecker's bill of sale or similar document that indicates the vehicle has been damaged

(14) The division shall adopt rules covering the content and circumstances under which the notation provided for in subsection (13) of this section is used.

(15) The division may omit the notation or remove the notation provided for in subsection (13) of this section if

(a) The division is provided with information from the originating jurisdiction that indicates that its title incorrectly reflects a brand or notation,

(b) The division is provided with information from the originating jurisdiction indicating that jurisdiction would not identify the vehicle as damaged, or

(c) The division is satisfied the notation was placed on an Oregon title in error

(16) Notwithstanding subsection (15) of this section, if the division determines the vehicle in question meets Oregon requirements for assembled or reconstructed vehicles or replicas, the division shall title the vehicle in accordance

with requirements for those vehicles [1983 c 338 §175, 1985 c 16 §58 1985 c 251 §14, 1985 c 253 §1, 1985 c 402 §6 1987 c 127 §1]

803.020 Space or form for odometer reading information. If the division determines by rule that certificates of title need not contain space for the information required for odometer readings on transfer under ORS 815 400, the division shall prescribe a form for such information and shall provide the form with each certificate of title issued [1985 c 251 §14a]

803.025 Violating title requirements prohibited; penalty. (1) A person commits the offense of violating vehicle title requirements if the person owns or operates any vehicle in this state for which this state has not issued a certificate of title

(2) Exemptions from this section are established by ORS 803 030 The exemptions are subject to ORS 803 040

(3) The offense described in this section, violating vehicle title requirements, is a Class C traffic infraction [1983 c 338 §176 1985 c 16 §59 1985 c 333 §4]

803.030 Exemptions from title requirement. This section establishes exemptions from the requirements under ORS 803 025, to obtain certificates of title issued by this state The exemptions are subject to ORS 803 040 The exemptions are in addition to any exemptions under ORS 801 025 Vehicles exempted by this section from the requirements to be titled by this state are not prohibited from being titled by this state if titling is permitted under ORS 803 035 The exemptions are partial or complete as provided in the following

(1) A certificate of title from this state is not required for a vehicle unless the vehicle is operated on a highway in this state This subsection does not exempt campers and travel trailers

(2) A certificate of title from this state is not required unless a vehicle is operated under a registration number of this state

(3) Mobile homes are subject to ORS 803 025 as provided under ORS 820 500 and 820 530

(4) Snowmobiles and Class I all-terrain vehicles are not subject to the requirements under ORS 803 025 The requirements and procedures for titling snowmobiles and Class I all-terrain vehicles are as provided under ORS 821 060 and 821 070

(5) Road rollers, farm tractors and traction engines are exempt from the requirements for certificates of title

(6) Trolleys are exempt from the requirements for certificates of title

(7) Bicycles are exempt from the requirements for certificates of title

(8) United States Government owned and operated motor vehicles and trailers are exempt from the requirements for certificates of title

(9) Implements of husbandry, well drilling machinery, emergency fire apparatus providing public fire protection and invalid chairs are exempt from the requirements for certificates of title

(10) Fixed load vehicles are exempt from the requirements for certificates of title 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

(11) Motor vehicles designed to operate at a loaded weight over 8,000 pounds, trailers and equipment are exempt from requirements for certificates of title while

(a) Owned, leased, contracted or requisitioned by the State Forester, State Board of Forestry, their contractors under ORS chapter 477, or the Federal Government, and

(b) 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

(12) Farm trailers are exempt from requirements for certificate of title when the operation or movement of the vehicle upon the highways is incidental to its use in an agricultural operation

(13) Golf carts operated under an ordinance adopted under ORS 810 070, are exempt from requirements for certificate of title

(14) Golf carts or similar vehicles are exempt from requirements for certificate of title when

(a) They have not less than three wheels in contact with the ground,

(b) They have an unloaded weight of less than 1,300 pounds,

(c) They are designed to be and are operated at not more than 15 miles per hour, and

(d) They are operated by disabled persons

(15) The nonresident owners of vehicles currently registered and titled in any other country, state or territory may operate such vehicles over the highways of this state without complying with the titling requirements under ORS 803 025 All of the following apply to this subsection

(a) This subsection only provides an exemption so long as the owner satisfactorily shows that the owner is not a resident of this state as described under ORS 803 200

(b) The exemption under this subsection applies to vehicles granted exemptions under ORS 802 500 or 802 520, unless otherwise provided under paragraph (c) of this subsection

(c) Except as otherwise provided in this paragraph, a vehicle operated over the highways of this state for compensation or profit must comply with the titling requirements under ORS 803 025 in the same manner as required of nontitled vehicles. The following vehicles are not subject to this paragraph

(A) Vehicles operated under reciprocal registration exemptions established under ORS 802 500

(B) Vehicles operated under an exemption established under ORS 802 520

(C) Vehicles that are proportionally registered under an agreement established under ORS 802 510, and according to the procedures established under ORS 805 140 or 805 150

(D) Any vehicle if duly registered and titled under the laws of the state or country of which the owner is a bona fide resident 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 titled under the laws of this state and owned by residents of this state.

(d) If no exemptions from titling requirements are in effect under ORS 802 500, 802 510 or 802 520 with respect to another jurisdiction, any vehicle properly registered and titled 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 and titled in this state. Reciprocity extended under this paragraph shall apply to commercial vehicles only when engaged exclusively in interstate commerce

(e) Any vehicle operated under dealer registration plates issued by another state, country, province, territory or the District of Columbia is subject to this subsection

(16) Vehicle dealers issued certificates under ORS 822 020 may use and operate untitled vehicles as provided under ORS 822 040

(17) Towing businesses issued certificates under ORS 822 205 may tow untitled vehicles as provided under ORS 822 210

(18) Vehicle transporters issued certificates under ORS 822 310 may transport untitled vehicles as provided in ORS 822 310

(19) Untitled vehicles may be operated under trip permits described under ORS 803 600 or under permits described under ORS 803 610 to 803 625

(20) Vehicles that are registered by the United States Department of State and that are owned or operated by foreign nationals with diplomatic immunity are exempt from the requirements for certificates of title [1983 c 338 §177, 1985 c 16 §60, 1985 c 333 §5, 1985 c 401 §1, 1985 c 459 §3, 1985 c 668 §6, 1987 c 25 §1]

803.035 Optional titling. (1) The division, by rule, may provide for optional titling of vehicles that are not subject to the vehicle titling requirements under ORS 803 025 or that are exempt from vehicle titling requirements by ORS 803 030. The rules adopted for purposes of this subsection may provide for the titling of categories of vehicles, types of vehicles or otherwise. Upon request of an owner, the division may issue a certificate of title for a vehicle that meets the requirements of rules adopted under this section

(2) A vehicle that is issued a certificate of title under this section is subject to the same provisions, conditions, fees and other requirements for titling as are other vehicles under the vehicle code and is subject to ORS 803 040 [1985 c 333 §2]

803.040 Effect of title. (1) If this state has issued a certificate of title for a vehicle, the vehicle shall remain titled by this state and subject to all of the provisions of the vehicle code relating to vehicles titled by this state until one of the following occurs

(a) The vehicle becomes legally titled under the laws of another jurisdiction

(b) The owner of the vehicle establishes that the vehicle is no longer subject to the vehicle titling requirements under the vehicle code by a method recognized or established by the Motor Vehicles Division

(2) Subsection (1) of this section applies to a vehicle issued a certificate of title by this state even if one of the following applies to the vehicle

(a) At some time after issuance of the certificate of title by this state, the vehicle becomes eligible for an exemption from titling requirements under ORS 803 030 or for any other reason.

(b) The issuance of the certificate of title was permissive under ORS 803 035

(c) The vehicle is not required to comply with vehicle titling provisions of the vehicle code for any reason [1985 c 333 §3]

803.045 Qualifications. This section establishes qualifications for issuance of a certificate of title. The division shall not issue a certificate of title under this section unless the person meets the qualifications of this section. The division shall issue a certificate of title for a vehicle to a person if the person meets all of the following qualifications:

(1) The person must satisfy the division that the person is the owner of the vehicle and is otherwise entitled to have a certificate of title issued in the person's name.

(2) The person must complete an application for issuance of a certificate of title described in ORS 803 050.

(3) The person must pay the fee for issuance of a certificate of title under ORS 803 090.

(4) If the vehicle is a reconstructed vehicle or an assembled vehicle, the person must provide the following information in addition to any other information required under this section:

(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 major components used to build the vehicle.

(5) If the vehicle is from another jurisdiction, the applicant must surrender to the division with the application the certificate of title issued by the other jurisdiction, if such jurisdiction requires certificates of title, and if such jurisdiction does not require certificates of title, then the applicant must surrender the registration cards.

(6) No certificate of title shall be issued by the division for a vehicle required by ORS 803 210 to be inspected unless the vehicle has been inspected as described in ORS 803 212 and the inspection fee paid under ORS 803 215.

(7) If required by the division, the person must submit proof or an affidavit as described under ORS 803 205 for the purposes of establishing ownership.

(8) If the division has reason to believe a vehicle was not certified by the original manufacturer as conforming to federal vehicle standards, the division may require the applicant to provide the division with proof the division determines appropriate to establish to the satisfaction of the division that the vehicle conforms to federal vehicle standards [1983 c 338 §178, 1985 c 16 §61, 1985 c 402 §7, 1985 c 410 §1, 1987 c 146 §5].

803.050 Application; contents. An application for a certificate of title required under ORS 803 045 must be upon a form furnished by

the division or other form acceptable to the division and must have all the following:

(1) A full description of the vehicle.

(2) The vehicle identification number.

(3) The name of the owner of the vehicle or other person whose name is to be shown on the registration.

(4) The identity of any security interests in order of priority.

(5) The identity of the interest of any lessor.

(6) A disclosure and certification of whether the vehicle is a replica or is specially constructed, reconstructed or assembled. If the title and registration records of the division already indicate that a vehicle is a replica or is specially constructed, reconstructed or assembled, disclosure under this subsection is not required unless the vehicle has been changed since title for the vehicle was last transferred.

(7) The figure shown on the odometer in the vehicle.

(8) Any other information required by the division [1983 c 338 §180, 1985 c 16 §62, 1985 c 251 §15, 1985 c 300 §1, 1985 c 402 §8a, 1987 c 750 §3a].

803.055 Delivery of certificate. When a certificate of title is issued by this state, the division shall deliver the certificate as follows unless otherwise provided by law:

(1) To the security interest holder with the highest priority.

(2) If there are no security interest holders, to the lessor.

(3) If there are no security interest holders or lessors, to the owner of the vehicle [1983 c 338 §181, 1985 c 16 §63].

803.060 Renewal. A certificate of title does not require a renewal and is valid until one of the following occurs:

(1) The vehicle is destroyed, dismantled or substantially altered.

(2) Any interest reflected on the certificate of title changes [1983 c 338 §182, 1985 c 316 §1].

803.065 Duplicate or replacement certificate; fee; application; rules. (1) The division may issue a duplicate or replacement certificate of title when all of the following occur:

(a) The division is satisfied as to the loss, mutilation or destruction of a certificate of title.

(b) The fee for issuance of a duplicate or replacement certificate of title established under ORS 803 090 is paid.

(2) The division may accept an application for a duplicate or replacement title certificate at the time of any transfer of a vehicle under ORS 803 095 The following apply to this subsection

(a) The division shall only accept the application if, at the time of transfer, the title certificate is lost, mutilated or destroyed

(b) When the division accepts an application, the division may accept proof of transfer other than the certificate of title or may accept a certificate of title that has not been completed along with other proof of transfer for purposes of transferring a vehicle under ORS 803 095 The division may accept any proof of transfer under this paragraph that establishes to the satisfaction of the division that the vehicle has been transferred including, but not limited to, statements of release of interest, bills of sale, assignments of interest or other similar proof

(c) If an application is made under this subsection, the fee for duplicate or replacement title certificate under ORS 803 090 must be paid in addition to the transfer fee under ORS 803 090

(d) The division may include the form for application under this subsection as part of the form for transfer of a vehicle or may make the forms separate, as the division finds convenient

(e) The division is not required by this subsection to issue a duplicate or replacement title before transfer, but may withhold issuance of title until new title is issued upon completion of transfer

(f) The division may adopt rules to establish procedures and requirements for effecting a transfer under ORS 803 095 when application is made under this subsection at the same time [1983 c 338 §183, 1985 c 174 §1 1985 c 300 §2]

(Offenses)

803.070 False statement in application or assignment; penalty. (1) A person commits the offense of false statement on title or transfer of vehicle if the person knowingly makes any false statement of a material fact either in an application for a certificate of title or in any assignment of title to a vehicle

(2) The offense described in this section, false statement on title or transfer of vehicle, is a Class A misdemeanor [1983 c 338 §184, 1985 c 393 §1]

803.075 False swearing prohibited; penalty. (1) A person commits the offense of false swearing relating to titling of vehicles if the person knowingly makes any false affidavit or knowingly swears or affirms falsely to any matter

or thing relating to the titling of vehicles under the vehicle code

(2) Penalties relating to submitting a false odometer reading relating to the titling of a vehicle shall be as provided under ORS 815 430

(3) The offense described in this section, false swearing relating to titling of vehicles, is a Class A misdemeanor [1983 c 338 §185, 1985 c 251 §16, 1985 c 393 §2]

803.080 Unlawfully publishing certificate of title forms prohibited; penalty. (1) A person commits the offense 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

(2) The offense described in this section, unlawfully publishing certificate of title forms, is a Class C felony [1983 c 338 §186]

803.085 Selling untitled vehicle prohibited; penalty. (1) A person commits the offense of selling an untitled vehicle if the person sells a vehicle without complying with the requirements under ORS 803 025 and 803 045 to obtain a certificate of title for the vehicle

(2) The offense described in this section, selling an untitled vehicle, is a Class A misdemeanor [1983 c 338 §187, 1985 c 393 §3]

(Fees)

803 090 Fees for transfer, issuance, replacement and late presentation. The following fees are the fees for the transaction described

(1) The transfer fee under ORS 803 095, \$9

(2) The fee for issuance of a certificate of title under ORS 803 045, \$9

(3) The fee for issuance of a duplicate or replacement certificate of title under ORS 803 065, \$9 The fee under this subsection must be paid at the same time as a transfer fee under this section if application is made at the same time as application for transfer

(4) The fee for issuance of a new certificate of title under ORS 803 220 indicating a change of name or address, \$9

(5) The fee for late presentation of certificate of title under ORS 803 105, \$25 from the 31st day after the transfer through the 60th day after the transfer and \$50 thereafter [1983 c 338 §188, 1985 c 16 §64 1985 c 174 §2, 1985 c 300 §3, 1985 c 315 §1, 1987 c 790 §1]

(Transfer of Title or Interest)

803.095 Procedures; requirements; leaseholds; security interest perfection,

satisfaction and assignment; transfer by operation of law, fees. This section establishes the procedures for transferring title or an interest in a vehicle for which the division has issued a certificate of title. The division may refuse to issue a certificate of title under this section if the division determines that the applicant is not entitled thereto. The division may require proof under ORS 803 205 before completing the transfer of a vehicle or issuance of a certificate of title under this section. If an applicant for any transfer under this section files an application for a duplicate or replacement title certificate under ORS 803 065, the provisions of this section requiring information to be placed on a title certificate are inapplicable and the division may complete the transfer by following procedures established under ORS 803 065. Except as provided in ORS 803 110, the following procedures are for the described type of transfer of an interest:

(1) Transfer of title or any interest in a vehicle requires completion of all of the following:

(a) The transferor shall sign the certificate of title in the appropriate place provided on the certificate.

(b) The transferor shall fill in information required by the division in the appropriate places on the certificate of title and shall complete an odometer reading described under ORS 815 400 in the manner required by the division under ORS 803 020.

(c) The transferee shall sign the certificate of title and fill in the information required by the division in the applicable spaces and shall record the mileage shown on the odometer. If the transferee is a vehicle dealer the transferee is not required to comply with this paragraph.

(d) The transferee shall present the certificate of title to the division in compliance with ORS 803 105 and pay the transfer fee established under ORS 803 090. If the transferee is a vehicle dealer, the transferee is not required to comply with this paragraph.

(e) If the transferee is a vehicle dealer, the transferee shall give notice to the division in compliance with ORS 803 105, and shall submit an odometer reading described under ORS 815 400.

(f) Subject to ORS 803 115, the division, upon receipt of a certificate of title, a separate odometer reading information form, if necessary, and required fee, shall:

(A) Issue a new registration card and deliver it to the transferee, and

(B) Issue to the transferee a new certificate of title and, if necessary, a separate odometer read-

ing information form and deliver them to the first security interest holder in order of priority, if any, otherwise, to the transferee.

(2) This subsection does not apply to leasehold interests described in subsection (4) of this section. The creation of a leasehold interest in a vehicle requires all of the following:

(a) The lessor or the lessee shall do the following on the appropriate space provided on the back of the certificate of title as provided in this paragraph:

(A) Both the lessor and the lessee shall sign and enter the date,

(B) Both the lessor and the lessee shall, in order of priority, indicate any unsatisfied security interest shown on the face of the certificate of title together with any new security interest,

(C) The lessor shall complete an odometer reading described under ORS 815 400 in the manner required by the division under ORS 803 020, and

(D) The lessee shall record the mileage shown on the odometer.

(b) The lessor shall cause the certificate of title to be presented to the division in compliance with ORS 803 105, submit a separate odometer reading information form if required under ORS 803 020 and pay the transfer fee established under ORS 803 090.

(c) Subject to ORS 803 115, the division, upon receipt of a certificate of title, separate odometer reading information form, if required, and required fee, shall issue and deliver a new registration card to the lessee and a new certificate of title and, if necessary, a separate odometer reading information form to the security interest holder first named or, if none, to the lessor.

(3) This subsection does not apply to leasehold interests described in subsection (4) of this section. All of the following apply to the termination of a leasehold interest:

(a) Upon termination, the lessor shall cause the certificate of title to be delivered to the division in compliance with ORS 803 105, shall pay the transfer fee established under ORS 803 090, shall complete an odometer reading described under ORS 815 400 in the manner required by the division under ORS 803 020 and shall submit to the division satisfactory proof that the lease is terminated.

(b) Upon receipt of a certificate of title, separate odometer reading information form, if required, and required fee, the division, subject to ORS 803 115, shall issue a new registration card.

in the name of the new owner and a certificate of title and, if necessary, a separate odometer reading information form to the security interest holder first named or, if none, to the new owner

(4) The lessee of commercial vehicles that are proportionally registered fleet vehicles under ORS 805 140 or 805 150 is not required to comply with subsections (2) and (3) of this section upon leasing such vehicles but must furnish the division with satisfactory proof of the lease in compliance with ORS 803 105

(5) Except as provided in subsection (6) of this section or under ORS 820 510, the exclusive means of perfecting security interest in a vehicle issued a certificate of title by the division is by application for notation of the security interest on the certificate of title in accordance with this section. The application for notation shall be accompanied by an ownership document, as defined by the division by rule, unless the division is in possession of an ownership document when it receives the application. All of the following apply to the creation of the security interest

(a) The owner of the vehicle or, if there is a lease, the lessor shall sign and enter the date on the appropriate space on the back of the certificate of title, shall complete an odometer reading described under ORS 815 400 in the manner required under ORS 803 020 and shall deliver the certificate to the person in whom the security interest is created. If the certificate of title is in possession of a prior security interest holder, the owner or lessor may arrange for direct delivery of the certificate to the division by the prior security interest holder rather than delivery as otherwise provided by this paragraph

(b) The person in whom the security interest is created shall sign the certificate of title, pay the transfer fee established under ORS 803 090 and, if the person receives the title under this subsection, present the certificate of title to the division in compliance with ORS 803 105

(c) Subject to ORS 803 115, the division, upon receiving the certificate and fee under this subsection, shall issue a new certificate of title, note the change upon its records in order of priority and mail the certificate to the security interest holder first named on the certificate

(d) When the division processes an application for a security interest under this subsection, the division shall mark on the application the date the application was first received either by mail or by presentation to any office of the division

(e) If the division has the documentation required by this subsection and if the application

contains the name of each owner of the vehicle, the name and address of the secured party and the vehicle identification number of the collateral, the security interest is perfected as of the date marked by the division on the application. If the application does not contain the information required by this subsection, or if the division does not have the required documentation, the division shall indicate on the application that the date placed on the application pursuant to paragraph (d) of this subsection is not the date of perfection of the security interest

(6) A security interest in a vehicle may not be perfected as described under 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

(7) This subsection does not apply to security interests created under subsection (6) of this section. All of the following apply upon the satisfaction of security interests that are noted on the certificate of title

(a) A security interest holder whose interest is satisfied shall sign and date a release. If the holder is in possession of the certificate of title, the holder shall complete the release by filling the appropriate places on the certificate of title. If the holder is not in possession of the certificate of title, the holder shall execute a release

(b) The security interest holder whose interest is satisfied shall deliver the release as follows

(A) If the release is on the certificate of title, to the security interest holder with the next priority or, if none, to the lessor or, if none, the owner of the vehicle

(B) If the release is not on the certificate of title, to the person entitled thereto

(c) A person who does not hold a certificate of title who receives a release under this subsection shall promptly deliver the release to the person who holds the certificate of title

(d) The holder of the certificate of title and the release of the security interest shall present the release and the certificate to the division in compliance with ORS 803 105, shall record the mileage shown on the odometer and shall pay the transfer fee established under ORS 803 090

(e) Subject to ORS 803 115, the division, upon receipt of the fee, certificate of title, separate odometer reading information form, if required, and release, shall note the change upon its records and issue a new certificate of title and, if necessary, a separate odometer reading information form to the first security interest holder

then named, if any, otherwise to the lessor or, if none, to the owner

(8) A security interest holder or lessor, without the consent of the owner, may assign interest of the holder or lessor in a vehicle to a person other than the owner without affecting the interest of the owner of 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

(9) This subsection establishes the procedures for the transfer by operation of law of the interest in a vehicle of an owner, security interest holder or lessor including by inheritance, devise, bequest, order in bankruptcy or insolvency, execution sale, repossession upon default in performance of the terms of an agreement that reserves or creates a security interest or any transfers effected other than by the voluntary act of the person whose interest or title is transferred. This subsection does not establish procedures for transfers at death of an owner if the estate is not being probated, such procedures are established by subsection (10) of this section. The following apply to a transfer under this subsection

(a) The personal representative, receiver, trustee, sheriff or other representative or successor in interest of the person whose interest is so transferred shall do all of the following

(A) Transfer the vehicle by signing the certificate of title, if available, upon the reverse thereof in lieu of the person whose interest is so transferred and recording the mileage shown on the odometer

(B) File with the division a notice of any transfer of any such vehicle by the representative or successor and satisfy the division concerning all facts entitling such representative or successor to transfer title

(b) Subject to ORS 803 115, the division upon being satisfied as to the facts concerning the representative and upon receipt of the title certificate or application under ORS 803 065 shall issue a new certificate of title, a separate odometer reading information form, if necessary, and a new registration card

(10) The following procedures are established for the transfer at death of the interest of an owner in a vehicle if the estate of the owner is not being probated

(a) To transfer the vehicle the division must receive all of the following

(A) The certificate of title, if available, and a record of the mileage shown on the odometer

(B) An affidavit, on a form prescribed and furnished by the division, 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. In lieu of submitting an affidavit, a person allowed to transfer or sell a vehicle under ORS 114 545 may comply with procedures established by the division for transfer or sale of the vehicle

(C) The transfer fee established under ORS 803 090

(b) The division may transfer title without the title certificate or application under ORS 803 065, if the division is satisfied as to the ownership of the vehicle

(c) Upon receipt of those things required under this subsection, the division shall issue a new certificate of title, a separate odometer reading information form, if necessary, and a new registration card [1983 c 338 §189, 1985 c 16 §65, 1985 c 251 §17, 1985 c 300 §4, 1985 c 400 §2, 1985 c 485 §5, 1987 c 750 §4]

803.097 Perfection of security interest in untitled vehicle. (1) Except as provided in subsection (4) of this section, when the division has not yet issued a certificate of title for a vehicle, a person who wishes to perfect a security interest in the vehicle shall do so by application for notation of the security interest on the certificate of title. The application may accompany the application for a certificate of title or may be made separately at any time prior to issuance of the certificate and must be accompanied by an ownership document as defined by the division by rule unless the division is in possession of an ownership document when it receives the application

(2) When the division processes an application for a security interest the division shall mark on the application the date the application was first received either by mail or by presentation to any office of the division

(3) If the division has the documentation required by subsection (1) of this section and if the application contains the name of each owner of the vehicle, the name and address of the secured party and the vehicle identification number of the collateral, the security interest is perfected as of the date marked by the division on the application. If the application does not contain the information required by this subsection, or if the division does not have the required documentation, the division shall indicate on the application that the date placed on the applica-

tion pursuant to subsection (2) of this section is not the date of perfection of the security interest

(4) A security interest in a vehicle may not be perfected as described under 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 [1987 c 750 §2]

803.100 Application of Uniform Commercial Code. Subject to ORS 820 510 the rights and remedies of all persons in vehicles subject to security interests established under ORS 803 095 shall be determined by the provisions of the Uniform Commercial Code [1983 c 338 §190, 1985 c 16 §66]

803.105 Failure to deliver documents on transfer; late fee; penalty. (1) Except as provided in ORS 803 110, a person commits the offense of failure to deliver vehicle documents on transfer of a vehicle for which the division has issued a certificate of title if the person does not comply with any of the following

(a) Upon transfer of title or any interest in a vehicle, the transferee must present the certificate of title to the division within 30 days after the transfer This paragraph does not apply to a vehicle dealer If the transfer arises from the sale of a vehicle, a transferee who presents the certificate more than 30 days after the transfer shall pay the fee for late presentation of certificate of title established in ORS 803 090

(b) Upon transfer of title or any interest in a vehicle to a vehicle dealer, the vehicle dealer must immediately notify the division that the vehicle has been transferred to the dealer

(c) Upon creation of a leasehold interest in a vehicle, the lessor or holder must present the certificate of title to the division within 30 days of the transfer This paragraph does not apply to the creation of leasehold interests in commercial vehicles that are registered in proportional fleets under ORS 805 150

(d) Upon termination of a leasehold interest, the lessor shall cause the certificate of title to be delivered to the division within 30 days of the termination This paragraph does not apply to the termination of leasehold interests in commercial vehicles that are registered in proportional fleets under ORS 805 140 or 805 150

(e) Upon creation of a leasehold interest in commercial vehicles that are registered in proportional fleets under ORS 805 140 or 805 150, the lessee shall furnish the division with satisfactory proof of the lease

(f) Upon the creation of a security interest in a vehicle where the owner or lessor is in possession of a certificate of title, the owner or lessor, if there is a lease, must deliver the certificate to the person in whom the security interest was created This paragraph does not apply upon the creation of a security interest where the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale

(g) Upon the creation of a security interest in a vehicle where a prior security interest holder is in possession of the certificate of title, the owner or lessor, if there is a lease, must either provide for the delivery of the certificate of title to the person in whom the security was created or arrange for direct delivery by the prior security interest holder to the division This paragraph does not apply upon the creation of a security interest where the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale

(h) Upon creation of a security interest in a vehicle, a person in whom a security interest was created and who receives a certificate of title showing the interest from the person granting the security interest must present the certificate of title to the division within 30 days after receiving the certificate of title

(i) Upon satisfaction of a security interest in a vehicle, the security interest holder affected

(A) If in possession of the certificate of title, shall deliver the certificate of title and the release contained thereon to the security interest holder next named, if any, otherwise to the lessor or, if none, to the owner

(B) If not in possession of the certificate of title, shall deliver a release to the person entitled thereto

(j) Upon receipt of a release of a security interest in a vehicle by a person who is not in possession of the certificate of title, the person shall promptly deliver the release to the holder of the certificate of title. This paragraph does not apply to release of a security interest in vehicles where the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale

(k) Upon satisfaction of a security interest in a vehicle, the holder of the certificate of title and the release must present both to the division within 30 days after the date of the release This paragraph does not apply upon release of a security interest in vehicles where the debtor who

granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale

(2) The offense described in this section, failure to deliver vehicle documents on transfer of interest in a vehicle, is a Class D traffic infraction [1983 c 338 §191, 1985 c 16 §67, 1985 c 315 §2, 1985 c 485 §4, 1987 c 750 §5]

803.110 Exception to requirement of delivery of documents. The provisions of ORS 803 095 and 803 105, requiring the delivery of vehicle documents to the division upon the transfer of title or any interest in a vehicle, do not apply to the transfer of the interest of a security interest holder under the following conditions

(1) The security interest holder is a financial institution or a national bank as defined in ORS 706 005, a federal association or a savings association as defined in ORS 722 004, a credit union as defined in ORS 723 006, a federally chartered credit union or a licensee under ORS chapter 725, and

(2) The transfer of the interest of the security interest holder results from the merger, conversion, reorganization, consolidation or acquisition of the security interest holder [1985 c 485 §3]

803 115 Effect of tax lien on transfer of vehicle. If the ownership of a motor vehicle subject to the lien provided for by ORS 319 700 is transferred, whether by operation of law or otherwise, the division shall not issue, to the transferee or person otherwise entitled thereto, a registration card or certificate of title with respect to such motor vehicle until the division has determined that the lien has been removed. Implementations of husbandry are not subject to this section by virtue of exemption under ORS 319 520 (6) from the lien provided for by ORS 319 700 [1983 c 338 §192]

PROVISIONS APPLICABLE TO BOTH TITLE AND REGISTRATION

(General)

803.200 Residency; criteria; exception; camper on vehicle. This section establishes when the exemptions under ORS 803 030 and 803 305 from titling and registration of vehicles owned by nonresidents are applicable. The applicability of the described exemptions for non-resident owners of vehicles is subject to all of the following:

(1) A person is a resident of this state for purposes of titling and registering vehicles if the person engages in any gainful employment in this state or takes any action to indicate the acquiring

of residence in this state during the period of sojourn in this state by doing any of the following

(a) Remaining in this 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 this state and operating motor vehicles in this state

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

(2) Notwithstanding subsection (1) 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 titled in an adjoining state

(3) A camper on a motor vehicle described in this section shall be subject to registration or titling under the vehicle code at the same time that such motor vehicle becomes subject to registration and titling under this section [1983 c 338 §198]

803.205 Proof of ownership on transfer or application for title or registration; affidavit. (1) The division may require proof under this section if the division determines the proof is necessary to resolve questions concerning vehicle ownership or undisclosed security interests in the transfer of any vehicle under ORS 803 095, in an application for issuance of a certificate of title under ORS 803 045 or in an application for registration of a vehicle under ORS 803 350

(2) Under this section, the division may require any proof sufficient to satisfy the division concerning the questions about the ownership of the vehicle or security interests in the vehicle. The proof required by the division may include, but is not limited to, completion of an affidavit that

(a) Is in a form required by the division by rule,

(b) Contains any information the division requires by rule as necessary to establish ownership of the vehicle or to determine any security interests in the vehicle, and

(c) Is verified by the person making the affidavit

(3) The division is not liable to any person for issuing a certificate of title or registering a vehicle based on proof provided under this section

(4) Nothing in this section affects any power of the division to refuse to issue or to revoke a certificate of title or registration [1983 c 338 §199]

803.210 Conditions precedent to issue of title for certain vehicles. (1) The division shall not issue a certificate of title for a vehicle described in subsection (2) of this section unless

(a) An inspection of the vehicle identification number or numbers of the vehicle is performed in accordance with ORS 803 212, and

(b) The fee established under ORS 803 215 is paid to the division for the inspection

(2) Except as provided in subsection (3) of this section, the requirements of this section apply to all of the following

(a) A vehicle from another jurisdiction

(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 819 010, 819 020 or 819 030

(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 819 010 or 822 135

(e) Replicas

(f) Any vehicle the division has reason to believe was not certified by the original manufacturer as conforming to federal vehicle standards

(3) The requirements of this section do not apply to mobile homes [1983 c 338 §200, 1985 c 16 §71, 1985 c 402 §9, 1985 c 410 §2, 1987 c 146 §2]

803.212 Inspection of vehicle identification numbers. (1) The division, or persons or agencies authorized to do so by the division, shall conduct a physical inspection of the vehicle identification number of each vehicle located in this state and required by ORS 803 210 to be inspected. The division may designate certified dealers under ORS 802 030 to perform the inspection and may enter into agreements with the Oregon State Police or other law enforcement agencies of this state to perform inspections. The inspection shall determine whether the vehicle identification number or numbers match those on the records of the division or on the title or registration surrendered or to be surrendered to the division under ORS 803 210

(2) If a vehicle that is required by ORS 803 210 to be inspected is located in another jurisdiction, the division may designate a person or agency in such jurisdiction to perform the physical inspection and may waive the inspection fee

(3) Except as provided in subsection (4) of this section, the division shall check the vehicle identification number or numbers of all vehicles required by ORS 803 210 to be inspected against those listed as stolen at the National Crime Information Center. If the check indicates the vehicle is stolen, the division

(a) Shall immediately notify the Oregon State Police, and

(b) Shall not issue a certificate of title within 30 days of giving the notice required by paragraph (a) of this subsection 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

(4) In lieu of checking vehicle identification numbers under subsection (3) of this section, the division may refer the vehicle to the Oregon State Police for a vehicle identification number inspection if the vehicle

(a) Was previously titled or registered in another jurisdiction and the inspection by the division or a person or agency authorized by the division to perform inspections 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 819 020 or 819 030 or is any other salvaged vehicle from another jurisdiction

(5) If the division refers a vehicle to the Oregon State Police under subsection (4) 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 [1987 c 146 §4]

803.215 Fee for inspection. A fee of \$4 shall be charged for an inspection of a vehicle

required by ORS 803 210 [1983 c 338 §201, 1985 c 736 §1, 1987 c 146 §6, 1987 c 790 §2]

(Offenses)

803.220 Notification to division of name or address change; requirements; procedure; exception; penalty. (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 803 090

(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 803 090 or 803 575

(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 803 090 or 803 575, the division shall issue a new certificate of title or registration card, as appropriate, indicating the change

(5) This section does not apply to a change of name or address of a security interest holder which is a financial institution or a national bank

as defined in ORS 706 005, a federal association or a savings association as defined in ORS 722 004, a credit union as defined in ORS 723 006, a federally chartered credit union or a licensee under ORS chapter 725

(6) 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 [1983 c 338 §202, 1985 c 16 §72, 1985 c 485 §1]

803.225 Failure to designate replica, reconstructed, assembled or specially constructed vehicle in title or registration application; penalty. (1) A person commits the offense of failure to designate a replica or a reconstructed, assembled or specially constructed vehicle if the person makes application for the titling or registration of a vehicle that is a replica or a reconstructed, assembled or specially constructed vehicle and that fact is not stated in the application

(2) The offense described in this section, failure to designate a replica, reconstructed, assembled or specially constructed vehicle in application for title or registration, is a Class B misdemeanor [1983 c 338 §203, 1985 c 393 §4, 1985 c 402 §10]

803.230 Forging, altering or unlawfully producing or using title or registration prohibited; penalty. (1) A person commits the offense of forging, altering or unlawfully producing or using vehicle titles or registration if the person does any of the following

(a) Alters or forges or causes to be altered or forged any certificate of title or certificate of registration issued by the division under the vehicle code or any assignment thereof

(b) Holds or uses certificate of title, certificate of registration or assignment thereof issued by the division knowing the certificate or assignment has been altered or forged

(c) Unless authorized by the division, prints or produces or causes to be printed or produced any certificate of title or certificate of registration required by the vehicle code or any assignment thereof

(d) Holds or uses any certificate of title, certificate of registration or assignment thereof required by the vehicle code knowing that it has been printed or produced without authority from the division

(2) The offense described in this section, forging, altering or unlawfully producing or using vehicle titles or registration, is a Class C felony [1983 c 338 §204, 1985 c 16 §73]

REGISTRATION
(General Provisions)

803.300 Failure to register; penalty (1)

A person commits the offense of failure to register a vehicle if the person owns a vehicle in this state and the person does not register the vehicle in this state

(2) In addition to other persons subject to this section, this section applies to out-of-state corporations owning, operating or maintaining a place of business in this state with regard to vehicles that are used by the corporation doing business in this state

(3) Exemptions from this section are established under ORS 803 305

(4) The offense described in this section, failure to register a vehicle, is a Class C traffic infraction [1983 c 338 §205, 1985 c 16 §74 1985 c 401 §4]

803.305 Exemptions from general registration requirements. This section establishes exemptions from the requirements under ORS 803 300 The exemptions under this section are in addition to any exemptions under ORS 801 025 Vehicles exempted by this section from the requirements to be registered by this state are not prohibited from being registered by this state if registration is permitted under ORS 803 310 The following are exempt, either partially or completely as described, from the registration requirements under ORS 803 300

(1) Road rollers, farm tractors, trolleys and traction engines are exempt from registration

(2) Bicycles are exempt from registration

(3) A vehicle is exempt from registration if it has registration issued for the vehicle by the Armed Forces of the United States where the registration is issued in a foreign country to a vehicle owned by a member of the Armed Forces The exemption granted by this subsection applies only for a period of 45 days from the time the vehicle is returned to the United States

(4) A vehicle is exempt from registration if it is not operated on the highways of this state No mobile home, travel trailer or camper is exempt by this subsection This subsection does not affect any exemption established under ORS 820 510

(5) A trailer is exempt from registration if it is equipped with pneumatic tires made of elastic material and is not operated in this state with a loaded weight of more than 1,800 pounds No trailer for hire, travel trailer, camper or mobile home is exempt by this subsection

(6) Vehicles owned and operated by the United States Government are exempt from registration

(7) Snowmobiles and Class I all-terrain vehicles are subject to the requirements for registration provided under ORS 821 080 to 821 110

(8) Mobile homes are subject to ORS 803 300 as provided under ORS 820 500, 820 510 and 820 530

(9) Implements of husbandry, well drilling machinery, emergency fire apparatus providing public fire protection and invalid chairs are exempt from registration

(10) Farm tractors and farm trailers on highways are exempt from registration when the operation of the vehicle upon the highway is incidental to its use in an agricultural operation

(11) Fixed load vehicles are exempt from registration while the vehicles are operated

(a) In the construction or reconstruction of state or county roads, highways or city streets, and

(b) Within the immediate construction projects, as described in the governmental agency contract under which the work is being performed

(12) Motor vehicles designed to operate at a loaded weight over 8,000 pounds, trailers and equipment are exempt from registration while being used for the purposes of forest protection and fire suppression under ORS chapter 477 or a similar federal statute The exemption under this subsection applies to the vehicles or equipment described while being moved to or from the work area The exemption under this subsection only applies to vehicles or equipment owned, leased, contracted for or requisitioned by the State Forester or State Board of Forestry, a contractor of the State Forester or State Board of Forestry under ORS chapter 477 or the United States Government

(13) Golf cart exemptions from registration are as provided in ORS 820 210

(14) A camper or travel trailer is exempt from registration while it is held by a vehicle dealer

(15) Vehicles currently registered and titled in any other country, state or territory are not required to be registered by this state All of the following apply to this subsection

(a) This subsection only provides an exemption as long as the owner of the vehicle satisfactorily shows that the owner is not a resident of this state as described under ORS 803 200

(b) The exemption under this subsection applies to vehicles granted exemptions under ORS 802 500 or 802 520 unless otherwise provided for under paragraph (c) of this subsection

(c) Except as otherwise provided in this paragraph, a vehicle operated over the highways of this state for compensation or profit must comply with the registration requirements under ORS 803 300 in the same manner as vehicles owned by persons in this state. The following vehicles are not subject to this paragraph

(A) Vehicles operated under reciprocal registration exemptions established under ORS 802 500

(B) Vehicles operated under an exemption established under ORS 802 520

(C) Vehicles that are proportionally registered under an agreement established under ORS 802 510 and according to the procedures established under ORS 805 140 and 805 150

(D) Any vehicle if duly registered and titled under the laws of the state or country of which the owner is a bona fide resident 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 titled under the laws of this state and owned by residents of this state

(d) If no exemption from registration requirements are in effect under ORS 802 500, 802 510 or 802 520 with respect to another jurisdiction, any vehicle properly registered and titled 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 and titled in this state. Reciprocity extended under this paragraph shall apply to commercial vehicles only when engaged exclusively in interstate commerce

(e) Any vehicle operated under dealer registration plates issued by another state, country, province, territory or the District of Columbia is subject to this subsection

(16) Vehicles operated or used by vehicle dealers may be operated or used without registration as provided under ORS 822 040

(17) Vehicles towed by towing businesses may be towed without registration as provided under ORS 822 210

(18) Vehicles without registration may be transported by vehicle transporters as provided under ORS 822 310

(19) Vehicles that are not registered may be operated under trip permits described under ORS

803 600 or under permits described under ORS 803 610 to 803 625

(20) If trailers that are part of a fleet of trailers for hire are properly registered in this state under ORS 805 130, all trailers that are identified as being a part of the same fleet and that are 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 without being registered by this state

(21) Vehicles that are registered by the United States Department of State and that are owned or operated by foreign nationals with diplomatic immunity are exempt from registration [1983 c 338 §206, 1985 c 16 §75, 1985 c 333 §7, 1985 c 401 §5, 1985 c 459 §4, 1985 c 668 §7, 1987 c 25 §2]

803.310 Optional registration. (1) The division, by rule, may provide for optional registration of vehicles that are exempt from vehicle registration requirements by ORS 803 305. The rules adopted for purposes of this subsection may provide for the registration of categories of vehicles, types of vehicles or otherwise. Upon request of an owner, the division may issue registration for a vehicle that meets the requirements of rules adopted under this section

(2) A vehicle that is registered under this section is subject to the same provisions, conditions, fees and other requirements for registration as are other vehicles under the vehicle code [1985 c 333 §6]

803.315 Failure to pay registration fee; penalty. (1) A person commits the offense of failure to pay the appropriate registration fee if the person operates any vehicle or transports any camper that is registered in this state unless the proper fee, as established under ORS 803 420 or 820 580, has been paid for registration of the vehicle

(2) The offense described in this section, failure to pay appropriate registration fee, is a Class C traffic infraction [1983 c 338 §207, 1985 c 16 §76]

803 320 Permitting unlawful operation of unregistered vehicle prohibited; penalty. (1) A person commits the offense of permitting unlawful operation of an unregistered vehicle if the person authorizes or knowingly permits a motor vehicle that is owned by the person or under the person's control and that is not registered as required under the vehicle code to be driven by any person

(2) The offense described in this section, permitting unlawful operation of unregistered

vehicle, is a Class B traffic infraction [1983 c 338 §208]

803.325 Purchase and use of out-of-state registered vehicle prohibited; requirements; penalty. (1) A person commits the offense of purchase and use of an out-of-state registered vehicle by a resident if the person is a resident of this state and the person purchases a vehicle registered outside of this state without doing all of the following

(a) Upon purchase, the person shall remove the registration plates and shall cause the vehicle to be registered as provided under the vehicle code for vehicles owned by residents of this state

(b) The person shall not use, within this state, the vehicle except when the person has paid fees and has complied with the vehicle code

(2) The offense described in this section, purchase and use of out-of-state registered vehicle by resident, is a Class C traffic infraction [1983 c 338 §209, 1985 c 16 §77]

(Qualifications)

803.350 Qualifications for registration; fee. This section establishes the requirements for qualification for registration. The division shall not issue registration to a vehicle if the applicant does not meet the qualifications under this section. The division, in the absence of just cause for refusing to register a vehicle upon application, shall assign a distinctive number or other distinctive means of identification and shall issue registration for a vehicle if the applicant meets all of the following requirements

(1) Applies for and is granted a certificate of title in the applicant's name at the same time the person makes application for registration, or presents satisfactory evidence that a certificate of title covering the vehicle has been previously issued to the applicant

(2) Completes an application described under ORS 803 370. If the vehicle is a reconstructed or assembled vehicle or a replica, the person must state that fact in the application or be subject to ORS 803 225

(3) Pays the division the registration fee established under ORS 803 420 and any applicable fees for issuance of registration plates

(4) For motor vehicles, provides a completed certificate of compliance described under ORS 815 310. This subsection does not apply if the vehicle is exempt from the requirements for a certificate of compliance under ORS 815 300

(5) If required by ORS 803 210 to be inspected

(a) The person must surrender to the division all of the registration plates, seals, certificates of registration or other evidences of the former registration in the applicant's possession or control,

(b) The vehicle must be inspected as described in ORS 803 212, and

(c) The inspection fee under ORS 803 215 must be paid

(6) If required by the division, submits proof of ownership or submits an affidavit as described under ORS 803 205

(7) Is domiciled in this state, as described in ORS 803 355, if required by ORS 803 360 to be domiciled in the state in order to register a vehicle. If the division has reason to believe that the applicant is not domiciled in this state and is required to be in order to register a vehicle, the division may require the person to submit proof of domicile. The division shall determine by rule what constitutes proof of domicile

(8) Owns a vehicle that qualifies under ORS 803 360 (2) for registration in this state, if the owner is not domiciled in this state and is not required by ORS 803 200, or any other provision of law, to register the vehicle in this state

(9) Surrenders all evidence of any former registration or title as required by ORS 803 380 [1983 c 338 §210, 1985 c 16 §78, 1985 c 305 §9, 1985 c 402 §11, 1987 c 146 §7]

803.355 "Domicile" described. For purposes of ORS 803 350 to 803 370, a person is domiciled in this state if the person's place of abode is in the state and the person intends to remain in the state or, if absent, to return to it [1985 c 305 §7]

803.360 Domicile in state required; exceptions. (1) No person may register or renew the registration of a vehicle in this state unless the person is domiciled in this state, as described in ORS 803 355. This section does not apply to persons required by ORS 803 200 or any other provision of law, to register vehicles in this state

(2) Notwithstanding subsection (1) of this section, a person who is not domiciled in this state may register or renew the registration of a vehicle that

(a) Is usually left within the state when the registered owner is absent from the state,

(b) Is used primarily for personal transportation within the state,

(c) Is a private passenger vehicle or a vehicle with a loaded weight of less than 8,000 pounds, and

(d) Is not a motor home or a camper [1985 c 305 §8]

(Application)

803.370 Contents of application. This section establishes requirements for an application for vehicle registration in this state. If an applicant fails to comply with requirements under this section, the division may refuse to register or reregister a vehicle until the applicant complies with the requirements. An application shall be duly signed by the owner and shall contain all of the following:

(1) The true name and, except as provided for police officers in ORS 802 250 (1) and (2), actual residence or business address of the owner

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

(3) An odometer reading described under ORS 815 400

(4) Any other information required by the division

(5) 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 subsection

(6) A statement that the applicant is domiciled in this state as described in ORS 803 355 if the applicant is required by ORS 803 360 to be domiciled in this state in order to register a vehicle in the state

(7) A statement that the vehicle qualifies under ORS 803 360 (2) for registration in this state, if the owner is not domiciled in this state and is not required by ORS 803 200, or any other provision of law, to register the vehicle in this state [1983 c 338 §211 1985 c 16 §79, 1985 c 251 §18, 1985 c 305 §10 1985 c 563 §4]

803.375 False application prohibited; penalty. (1) A person commits the offense of false application for vehicle registration if the person does any of the following:

(a) Knowingly makes any false statement or representation with respect to any facts required to be set forth in any application for registration

(b) Uses a name other than the person's true name in any application for registration.

(2) The penalty for submitting a false odometer reading in an application for registration is as provided in ORS 815 430

(3) The offense described in this section, false application for vehicle registration, is a Class A misdemeanor [1983 c 338 §212 1985 c 16 §80, 1985 c 251 §19]

803.380 Failure to surrender out-of-state registration; penalty. (1) A person commits the offense of failure to surrender out-of-state registration, if the person registers a vehicle in this state that has been registered in another jurisdiction 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 out-of-state registration, is a Class D traffic infraction [1983 c 338 §213 1985 c 16 §81]

803.385 False swearing relating to registration; penalty. (1) A person commits the offense of false swearing relating to registration of vehicles if the person knowingly makes any false affidavit or knowingly swears or affirms falsely to any matter or thing relating to the registering of vehicles under the vehicle code

(2) The penalty for submitting a false odometer reading in an application or on renewal of registration is as provided under ORS 815 430

(3) The offense described in this section, false swearing relating to registration of vehicles, is a Class A misdemeanor [1983 c 338 §214, 1985 c 251 §20 1985 c 393 §5]

(Periods and Fees)

803.400 Duration of registration periods. This section establishes and distinguishes registration periods. Each registration period determines the period of validity for vehicle registration. Registration under the following registration periods is valid during the described registration period:

(1) Annual registration is valid for a one-year period. The period starts on the first day of a calendar month and runs through the last day of the same calendar month one year later. Once a vehicle is registered under annual registration, the registration period of the vehicle begins and ends with that same calendar month each time the vehicle is reregistered or registration for the vehicle is renewed

(2) Biennial registration is valid for a two-year period. The period starts on the first day of a

calendar month and runs through the last day of the same calendar month two years later. Once a vehicle is registered under biennial registration, the registration period of the vehicle begins and ends with that same calendar month each time the vehicle is reregistered or registration for the vehicle is renewed.

(3) Calendar-year registration starts on January 1 of a year and runs through December 31 of the same year.

(4) Ownership registration starts on the day the vehicle is registered and is valid until the ownership of the vehicle changes.

(5) Permanent registration starts on the day the vehicle is registered and is valid for the life of the vehicle.

(6) Quarterly registration starts on the first day of any calendar quarter and runs through the last day of the last calendar quarter in the registration period. The number of calendar quarters in a quarterly registration is elected by the vehicle owner at the time of registration. A person may not establish quarterly registration periods for more than four quarters. If a vehicle is registered for a quarterly registration period of less than four calendar quarters, the division shall collect, when issuing or renewing registration of the vehicle, the additional fee for quarterly registration established under ORS 803 420.

(7) Special five-year registration is valid for a five-year period. The period starts on the first day of a calendar month and runs through the last day of the same calendar month five years later. Once a vehicle is registered under special registration, the registration periods of the vehicle begin and end with that same month each time the vehicle is reregistered or registration for the vehicle is renewed. [1983 c 338 §222]

803.405 Effect of initial registration month. The month in which any vehicle is initially registered under biennial or annual registration or when required under ORS 820 520 is the month established as the beginning and ending of registration periods for the vehicle unless the division adjusts the registration month of the vehicle upon initial registration under ORS 803 410. [1983 c 338 §223]

803.410 Division authorized to adjust periods and fees. The division is empowered to administer ORS 803 400 and 803 405, relating to the registration periods of vehicles and to adopt and enforce rules, including rules for the adjustment or proration of fees and registration periods, necessary to accomplish the enforcement of those sections. The authority granted the division under this section is subject to the following

(1) The division may initially register a vehicle that is subject to biennial registration 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 biennial registration system.

(2) The division may initially adjust the registration periods of trailers for hire registered as part of a fleet under ORS 805 130 for a maximum 60-month period.

(3) The authority granted under this section includes authority to adjust the initial registration period of travel trailers and special use trailers that are required to be registered after being removed from assessment under the ad valorem tax laws by ORS 820 520.

(4) For vehicles that are initially registered under proportional registration under ORS 805 140 or 805 150 and that are either required to establish registration weights under ORS 803 430 or are commercial busses or commercial bus trailers, the division shall prorate the fees as provided in this subsection in order to carry out the purposes of calendar-year registration. This subsection does not allow such vehicles to be registered under quarterly registration. The proration of fees under this subsection shall be as follows except that in no case shall the fee on which Oregon fees are based be less than \$10.

(a) If the vehicle is registered after the expiration of the first quarter of the registration period, three-fourths of the fees shall be used to determine the Oregon fees.

(b) If the vehicle is registered after the expiration of the first half of the registration period, one-half of the fees shall be used to determine the Oregon fees.

(c) If the vehicle is registered after the expiration of three-fourths of the registration year, one-fourth of the fees shall be used to determine the Oregon fees.

(5) The division, by rule, may adjust registration fees or registration periods for a vehicle, as is administratively convenient for the division, if

(a) The vehicle is changed from one type of registration to another type, or

(b) Any other change relating to the registration of the vehicle is made where it would be administratively convenient for the division to make such adjustments. [1983 c 338 §224, 1985 c 16 §83, 1985 c 253 §3, 1987 c 750 §6]

803.415 Registration periods for vehicles. This section establishes registration periods

for vehicles. The registration periods are periods described under ORS 803 400. Except as provided in the following, the registration period for any vehicle registered in this state is a biennial registration period.

(1) The following vehicles have permanent registration:

(a) Antique vehicles registered under ORS 805 010.

(b) Vehicles of special interest registered under ORS 805 020.

(2) Government-owned vehicles registered under ORS 805 040 have ownership registration.

(3) The following vehicles may be registered under annual or quarterly registration unless the vehicles are registered under proportional registration under ORS 805 140 or proportional fleet registration under ORS 805 150:

(a) Vehicles required to establish a registration weight under ORS 803 430.

(b) Commercial busses and commercial bus trailers.

(c) Vehicles required as farm vehicles under ORS 805 300.

(4) Vehicles registered under proportional registration under ORS 805 140 or proportional fleet registration under ORS 805 150 have calendar year registration.

(5) Snowmobiles and Class I all-terrain vehicles are registered as provided in ORS 821 080.

(6) Mobile homes are registered as provided in ORS 820 500.

(7) Vehicles operated by dealers who hold certificates under ORS 822 020 are as provided under ORS 822 040.

(8) Trailers for hire may be registered as follows:

(a) Annual registration, or

(b) If registered under ORS 805 130, special five-year registration at the election of the owner.

(9) The registration period for electric vehicles is a biennial registration period except that the registration period for the following electric vehicles is an annual registration period:

(a) Commercial busses.

(b) Electric vehicles registered as farm vehicles under ORS 805 300.

(c) Vehicles required to establish registration weight under ORS 803 430.

(10) Vehicles registered under ORS 805 100 have an ownership registration period.

(11) School vehicles registered under ORS 805 050 have ownership registration except that the registration shall continue to be valid if ownership of the vehicle is transferred to a person who continues to use the vehicle for purposes authorized by ORS 805 050 [1983 c 338 §225, 1985 c 16 §84, 1985 c 177 §1, 1985 c 189 §1, 1985 c 547 §12, 1987 c 158 §162, 1987 c 217 §2].

803.420 Registration fees. This section establishes registration fees for vehicles. If there is uncertainty as to the classification of a vehicle for purposes of the payment of registration fees under the vehicle code, the division may classify the vehicle to assure that registration fees for the vehicle are the same as for vehicles the division determines to be comparable. The registration fees for the vehicle shall be those based on the classification determined by the division. The fees described in this section are for an entire registration period for the vehicle as described under ORS 803 415, unless the vehicle is registered quarterly. The division shall apportion any fee under this section to reflect the number of quarters registered for a vehicle registered for a quarterly registration period under ORS 803 415. The fees are payable when a vehicle is registered and upon renewal of registration. The fees for registration of vehicles are as follows:

(1) Vehicles not otherwise provided for in this section or ORS 820 580 or 821 320, \$20.

(2) Mopeds, \$6.

(3) Motorcycles, \$6.

(4) Government-owned vehicles registered under ORS 805 040, \$1.

(5) State-owned vehicles with regular registration plates registered under ORS 805 045, \$1 on registration or renewal.

(6) Undercover vehicles registered under ORS 805 060, \$1 on registration or renewal.

(7) Antique vehicles registered under ORS 805 010, \$20.

(8) Vehicles of special interest registered under ORS 805 020, \$35.

(9) Electric vehicles as follows:

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

(b) The 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 section.

(c) The registration fees for the following electric vehicles are the same as for comparable

nonelectric vehicles described in this section plus 50 percent of such fee

(A) Motor homes

(B) Commercial busses

(C) Vehicles registered as farm vehicles under ORS 805 300

(D) Vehicles required to establish registration weight under ORS 803 430

(10) Except as provided in subsection (25) of this section, motor vehicles required to establish a registration weight under ORS 803 430 and commercial busses as provided in the following chart, based upon the weight submitted in the weight certificate prepared under ORS 803 435

Weight in Pounds		Fee
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

Weight in Pounds			Fee
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

(12) Fixed load vehicles as follows

(a) If a certificate of weight described under ORS 803 435 is submitted establishing the weight of the vehicle at 3,000 pounds or less, \$20

(b) If no certificate of weight is submitted or if the weight of the vehicle is in excess of 3,000 pounds, \$50

(13) Trailers for hire that are equipped with pneumatic tires made of an elastic material and that are not travel trailers, mobile homes, bus trailers or trailers required to establish a registration weight under ORS 803 430, \$10

(14) Trailers under ORS 805 130, for a special five-year registration as follows

(a) A \$10 fee for the first 12 months of the five-year 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 fee at the beginning of each 12-month period, or

(b) A \$50 fee for the entire five-year period

(15) Travel trailers, campers and motor homes as follows, based on length as determined under ORS 803.425

The weight of a camper shall not be considered as a load in determining the weight of a motor vehicle that may be subject to this subsection

(11) Except as provided in subsection (25) of this section, trailers required to establish a registration weight under ORS 803 430 and commercial bus trailers as provided in the following chart, based upon the weight submitted in the weight certificate prepared under ORS 803 435

(a) For lengths 6 to 10 feet, \$36

(b) For travel trailers or campers over 10 feet in length, \$36 plus \$3 a foot for each foot of length over the first 10 feet

(c) For motor homes over 10 feet in length, \$56 plus \$3 a foot for each foot of length over the first 10 feet

(16) Special use trailers as follows, based on length as determined under ORS 803 425

(a) For lengths 6 to 10 feet, \$20

(b) For special use trailers over 10 feet in length, \$20 plus \$3 a foot for each foot of length over the first 10 feet

(17) Fees for vehicles with proportional registration under ORS 805 140 or proportioned fleet registration under ORS 805 150 are as provided for vehicles of the same type under this section except that the fees shall be fixed on an apportioned basis as provided under the agreement established under ORS 802 510

(18) For any vehicle that is registered under a quarterly registration period, a minimum of \$10 for each quarter registered plus an additional fee of \$1

(19) In addition to any other fees charged for registration of vehicles in fleets under ORS 805 120, the division may charge the following fees

(a) A \$2 service charge for each vehicle entered into a fleet

(b) A \$1 service charge for each vehicle in the fleet at the time of renewal.

(20) The registration fee for vehicles with special registration for disabled veterans under ORS 805 100 is a fee of \$10

(21) The registration fee for mobile homes is as provided in ORS 820 580

(22) Subject to subsection (18) of this section, the registration fee for vehicles registered as farm vehicles under ORS 805 300 is as follows based upon the certificate of weight submitted under ORS 803 435

(a) For 3,000 pounds or less, \$10

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

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

(23) The registration fee for school vehicles registered under ORS 805 050 is \$5

(24) The registration fee for vehicles that are initially registered under proportional registra-

tion under ORS 805 140 or 805 150 and that are either required to establish registration weights under ORS 803 430 or are commercial busses or commercial bus trailers shall be an amount determined in accordance with the agreement entered into pursuant to ORS 802 510 and based on the fees established in subsections (10) and (11) of this section [1983 c 338 §226, 1985 c 16 §85, 1985 c 177 §2, 1985 c 189 §2, 1985 c 245 §2, 1985 c 253 §4, 1985 c 401 §6, 1985 c 547 §13, 1987 c 6 §2, 1987 c 25 §3, 1987 c 440 §3, 1987 c 750 §7]

803.425 Vehicle length for fee determination. The following are the measurement points of the described vehicles for the purposes of determining registration fees under ORS 803 420

(1) Special use trailers and travel trailers are measured from the foremost point of the trailer hitch to the rear extremity of the trailer body 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) Campers are measured by overall length from the extreme front to the extreme rear

(3) Motor homes are measured by overall length from front to rear extremities

(4) Tent trailers are measured by overall length when folded for travel [1983 c 338 §229, 1985 c 16 §86]

803.430 Registration weight for fee determination; methods of establishing; requirement. (1) Registration weight is established for the following purposes

(a) The registration weight is the weight used in the certificate of weight under ORS 803.435 to determine the registration fees under ORS 803 420 for vehicles required to establish registration weight under this section

(b) A vehicle that is required to establish registration weight by this section is in violation of ORS 803 315 if the vehicle is operated on a highway of this state at a weight in excess of the registration weight except when carrying a load

(A) Under the provisions of ORS 376.305 to 376 390,

(B) Under a variance permit issued under ORS 818 200, or

(C) Consisting of towed motor vehicles or house trailers required to be registered under the vehicle code

(2) Registration weight is established at the time of registration and whenever the vehicle has been altered or reconstructed by furnishing a

certificate of weight described under ORS 803 435 that contains a written declaration of the maximum loaded weight at which the vehicle will be operated on the highways of this state except when carrying loads described under paragraph (b) of subsection (1) of this section

(3) Except as provided in subsection (4) of this section, the following vehicles are required to establish a registration weight under this section

(a) Any motor truck that will be operated on the highways at a loaded weight of more than 8,000 pounds

(b) Any truck tractor that will be operated on the highways at a loaded weight, including the weight of the load resting thereon, of more than 8,000 pounds

(c) Any truck trailer that will be operated on the highways at a loaded weight of more than 8,000 pounds

(d) An armored car, wrecker, tow vehicle, hearse or ambulance

(e) Any other vehicle that will be operated on the highways at a loaded weight of more than 8,000 pounds

(f) A self-propelled mobile crane

(4) The following vehicles are not required to establish registration weight under this section

(a) Any vehicle that is being registered as a farm vehicle under ORS 805 300

(b) Any vehicle that is being registered under a specific provision of the vehicle code where fees are not based on weight or where registration weight is specifically not required [1983 c 338 §230, 1985 c 16 §87, 1985 c 71 §3, 1985 c 172 §6]

803.435 Certificate of weight for fee determination; contents. A certificate of weight required for purposes of complying with ORS 803 450 and for purposes of determining vehicle registration fees under ORS 803 420 shall contain the following

(1) For vehicles required to establish a registration weight under ORS 803 430, the certificate shall contain the registration weight

(2) For commercial busses and commercial bus trailers, the certificate shall contain the unloaded weight of the vehicle and indicate the number of passengers including the driver to be carried thereon For purposes of determining the fee for registration of the vehicle under ORS 803 420, the division shall determine the weight of the vehicle by adding the unloaded weight of the vehicle to a weight determined by 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 150 pounds, if the vehicle has no separate compartment for transporting baggage or express If the vehicle has a seating capacity that is not arranged for separate or individual seating, 18 lineal inches shall be deemed the equivalent of a passenger seat

(3) For fixed load vehicles, the certificate shall contain the weight of the vehicle including the cab, chassis, frame and all appurtenances necessary for making the vehicle self-propelled including front bumpers, fenders, windshield, tire carrier and spare wheel, and including the fixed or permanent load of the vehicle but excluding the spare tire.

(4) For vehicles registered under ORS 805 300, the certificate shall contain the unloaded weight of the vehicle

(5) For all vehicles not otherwise provided for by this section and for which a certificate is prepared or required, the certificate shall contain the unloaded weight of the vehicle [1983 c 338 §231, 1985 c 16 §88, 1985 c 189 §3]

803.440 Failure to submit certificate of weight; penalty. (1) A person commits the offense of failure to submit a certificate of weight if the person does not submit a certificate of weight for a vehicle described in this subsection when the person applies for registration of the vehicle or has the vehicle registered in the person's name and the vehicle has been altered or reconstructed This section applies to the following vehicles

(a) Any vehicle required to establish registration weight under ORS 803 430

(b) Any commercial bus or commercial bus trailer

(c) Any vehicle registered as a farm vehicle under ORS 805 300

(2) The offense described in this section, failure to submit a certificate of weight, is a Class D traffic infraction [1983 c 338 §232]

(Renewal)

803.450 Notice of pending expiration; exceptions; effect of failure to receive; records. (1) The division shall notify the registered owner of a vehicle registered by this state of the approaching expiration of the vehicle's registration The notice required by this subsection shall comply with all of the following

(a) The notice shall be mailed to the owner of the vehicle at the address shown on the vehicle registration file

(b) The notice shall be mailed a reasonable time before expiration date of the registration

(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 803 220

(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) Division records concerning notice under this section are subject to ORS 802 210 [1983 c 338 §233, 1985 c 253 §5]

803.455 Failure to renew; fee; penalty.

(1) A person commits the offense of failure to renew vehicle registration if the registration period for a vehicle registered in the person's name expires and the person does not pay the fee required for renewal of registration

(2) This section does not apply if the vehicle is no longer required or qualified to be registered in this state when the registration period expires

(3) The fee required to be paid for renewal of registration under this section is the same fee that is required for registration of the vehicle under ORS 803 420

(4) The offense described in this section, failure to renew vehicle registration, is a Class D traffic infraction [1983 c 338 §234 1985 c 16 §89 1985 c 305 §11]

803.460 Certification of compliance with financial responsibility requirements.

The division shall not renew the registration of a motor vehicle unless the owner of the vehicle certifies compliance with financial responsibility requirements for the vehicle and certifies that the owner will remain in compliance with the requirements for the term of the registration or until the vehicle is sold. This section does not apply if a renewal of registration is accompanied by an application for transfer of title arising from the sale of the vehicle. Exemptions from this section are established in ORS 806 020. The form of certification required for this section shall be

as required under ORS 806 180 [1983 c 338 §235, 1985 c 714 §7]

803.465 Certificate of compliance with pollution control equipment requirements.

The division shall not issue renewal of registration unless the division receives with the application for renewal of registration a completed certificate of compliance with pollution control equipment requirements under ORS 815 310. This section is not applicable to vehicles exempt from the requirements of this section by ORS 815 300 or to vehicles registered under the provisions of ORS 805 045 or 805 060 [1983 c 338 §236, 1985 c 16 §90, 1987 c 440 §4]

803.470 Failure to keep camper or trailer registration current; effect.

If an owner of a titled and registered camper or travel trailer fails to keep its registration current, the division shall not renew the registration, transfer the certificate of title or issue a duplicate or replacement certificate of title until the division receives all unpaid registration fees [1983 c 338 §237, 1985 c 174 §3]

803.475 Odometer reading required.

The division shall not issue renewal of registration unless the division receives with the application for renewal of registration a completed odometer reading that conforms to the requirements under ORS 815 400. The division shall retain the odometer information submitted under this section but need not print it on certificates of title or registration cards [1985 c 251 §22]

(Cards)

803.500 Registration card; contents; signature. (1) The division shall furnish for each vehicle and camper registered, a registration card that shows all of the following information

(a) The name of the registered owner

(b) The owner's actual residence or business address and, if it differs from the residence or business address, the post-office address

(c) The name of the county in which the owner resides or conducts business. Registration cards for vehicles that are proportionally registered under ORS 805 140 or 805 150 are not required to comply with this paragraph

(d) The make

(e) The year model

(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 registration weight, if the vehicle is required to establish a registration weight. If the vehicle is not required to establish a registration weight, but is required to file a certificate of weight described under ORS 803 440, upon registration, the weight shown on the certificate of weight shall be shown on the registration card

(j) The mileage of the vehicle, as reported to the division, at the time of the most recent title transfer

(2) A registration card shall contain a blank space for the signature of the registered owner. A registration card issued by the division for a motor vehicle is not valid until the person registering the vehicle signs and dates a statement on the registration card certifying that, at the time of completion of registration, the vehicle for which the card is issued is in compliance with financial responsibility requirements. A person who falsely certifies compliance with financial responsibility requirements on the card is subject to the penalties under ORS 806 050 [1983 c 338 §254, 1985 c 251 §25, 1985 c 253 §6, 1985 c 668 §11]

803.505 Failure to carry card; penalty.

(1) The owner of a vehicle that is registered in this state commits the offense of failure to carry a registration card if, immediately upon receipt, the owner does not sign the card with ink in the blank provided on the card for that purpose and place and keep the card in or on the vehicle in a manner that makes it readily available for police inspection upon request

(2) The following apply to the offense described in this section

(a) The owner of a commercial vehicle is not in violation of this section if a photocopy of the card is used

(b) In the case of a camper, the owner shall keep the registration card in the transporting vehicle

(c) In the case of a snowmobile or Class I all-terrain vehicle, the registration card or certificate shall be in a place that is readily accessible whether or not the snowmobile or Class I all-terrain vehicle is in operation

(3) The offense described in this section, failure to carry a registration card, is a Class C traffic infraction [1983 c 338 §255, 1987 c 217 §3]

803.510 Duplicate or replacement; fee. The division may issue a duplicate or replacement registration card when

(1) The division receives an application indicating the loss, mutilation or destruction of a registration card, and

(2) The fee for issuance of a duplicate or replacement card established under ORS 803 575 is paid to the division [1983 c 338 §256 1985 c 174 §4, 1985 c 253 §7a]

(Plates)

(Plate Contest)

Note Sections 1 to 3, chapter 572, Oregon Laws 1987, provide

Sec 1 The Oregon Transportation Commission shall conduct a contest for the design of new vehicle registration plates. The contest shall be conducted in the following manner

(1) The commission shall conduct a state-wide publicity campaign to inform people of the registration plate design contest

(2) Designs submitted for the contest must

(a) Contain the word "Oregon" and depict an aspect of Oregon, either graphically or in writing or both,

(b) Fit on a registration plate that is the same size as those currently in use, and

(c) Use no more than four colors

(3) The commission shall choose a panel of seven judges for the contest. Of the members of the panel, two shall be artists or graphic artists and two shall be traffic officers employed by a police agency

(4) The judges shall choose from among the entries five designs that they shall then forward to the commission. The commission shall choose the winning design from among the five forwarded to it by the panel of judges

(5) The contest shall be concluded and the winning design chosen by January 30, 1988. The commission shall forward the winning design to the Motor Vehicles Division [1987 c 572 §1]

Sec 2 (1) As soon after receiving the winning design for registration plates as is feasible, the Motor Vehicles Division shall arrange for production of the plates. The division shall make rules for the orderly and efficient transition to use of the new series of plates. Such rules shall include, but need not be limited to, provisions specifying that

(a) On and after July 1, 1988, upon initial registration of a vehicle described in ORS 803 420 (1) that is not a vehicle for which the registration applicant has applied for special plates and is not a vehicle for which the Motor Vehicles Division routinely issues special plates, plates from the series produced as provided in this Act shall be issued

(b) On and after July 1, 1988, if the owner of a vehicle applies to replace registration plates as provided in ORS 803 530 because the plates have been illegally altered or have been lost, destroyed or mutilated, if the applicant has not applied for special plates and if the vehicle is not one for which the Motor Vehicles Division routinely issues special plates, the division shall issue plates from the series produced as provided in this Act

(c) On and after July 1, 1988, the division may issue registration plates from the series produced as provided in this Act to a person who applies for the plates and submits the fee

required by this section. Plates may be issued under this paragraph for vehicles that are not required by paragraph (a) or (b) of this subsection to have plates from the series produced as provided in this Act.

(d) The division may issue registration plates from the series produced as provided in this Act for vehicles that would otherwise receive special plates if the division determines that the design of the plates produced under this Act will not interfere with any identifying information on the special plates.

(2) In addition to any other fee authorized by law, if a person applies for plates as authorized by paragraph (c) of subsection (1) of this section, the division shall charge the following fee:

(a) If the person applies for the plates at the same time that the person renews the registration of the vehicle that will carry the plates: \$1.50.

(b) In all other circumstances: \$11. [1987 c 572 §2]

Sec 3 The provisions of ORS 803.535 apply to all registration plates manufactured or contracted for after the effective date of those provisions and before the conclusion of the contest referred to in section 1 of this Act. Except as otherwise provided in this section, plates manufactured as a result of a contract entered into after the contest referred to in section 1 of this Act, that are manufactured to the specifications of the winning design in the contest, shall comply with the provisions of section 5 of this Act (ORS 803.537) rather than with the provisions of ORS 803.535. Plates for vehicles that are not required to display plates manufactured to the specifications of the winning design in the contest may comply with either the provisions of ORS 803.535 or the provisions of section 5 of this Act as determined by the division. [1987 c 572 §3]

803.520 Issuance; fees. The division shall issue and deliver to the owner registration plates according to the following:

(1) Registration plates shall be issued upon filing of application for registration and payment of the appropriate registration and registration plate fees unless the division has just cause for refusing to register a vehicle or unless otherwise provided in this section.

(2) If an application for title or registration is for a vehicle that is subject to the provisions of ORS 803.210, the division may issue a permit described under ORS 803.615 while the division is determining all facts relative to the applicant's right to receive a certificate of title and shall issue registration plates along with the certificate of title.

(3) Before issuance of registration plates, the division must receive the manufacturing and reflectorizing fee for the registration plates. If the registration plate is one of the special plates described under ORS 805.200, the fees for the registration plate issuance are as described in ORS 805.250.

(4) Except as described in ORS 805.200 and 803.537, registration plates issued shall be as described in ORS 803.535.

(5) The division shall issue the number of plates appropriate under ORS 803.525 and any stickers provided under ORS 803.555. [1983 c 338 §257, 1985 c 16 §99, 1987 c 146 §8, 1987 c 572 §6]

803.525 Number of plates issued. The division shall issue two registration plates for every vehicle that is registered in this state except as otherwise provided in this section. Upon renewal or when otherwise provided under ORS 803.555, the division may issue stickers in lieu of or in addition to registration plates. The following shall be issued plates as described:

(1) Only one registration plate shall be issued for a moped, motorcycle or any trailer registered by this state.

(2) Only one plate shall be issued for a camper that is registered. Stickers may be issued in lieu of a plate as provided in ORS 803.555.

(3) Mobile homes are as provided in ORS 820.500.

(4) The number of registration plates issued for vehicles that are proportionally registered under ORS 805.140 or 805.150 shall be controlled as provided by the agreement establishing the proportional registration under ORS 802.510. [1983 c 338 §258, 1985 c 668 §12]

803.530 Period of validity; transfer; replacement. Registration plates assigned to a vehicle by the division shall remain with the vehicle to which the plates are assigned and are valid only during the registration period for which the plates are issued except as provided in the following:

(1) The division may select and assign permanent registration plates that remain with a vehicle as long as the vehicle is required to be registered in this state. If the division selects and issues permanent registration plates under this subsection, the plates will be designed for the use of stickers described under ORS 803.555 that remain with the vehicle only for the registration period for which the stickers are issued.

(2) The division may allow registration plates to be transferred to another vehicle upon receipt of an application therefor together with payment of a plate transfer fee under ORS 803.575 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 customized registration plates described under ORS 805.240 or are so

old, damaged, mutilated or otherwise rendered illegible as to be not useful for purposes of identification

(3) The owner of a registered vehicle to which a plate is assigned may replace a registration plate that is illegally altered or that is lost, destroyed or mutilated in a manner that renders illegible any identification on the plate. The following apply to this subsection

(a) To replace a plate under this subsection, the owner must apply to the division for replacement of the damaged or lost plate upon forms prepared by the division and pay the replacement plate fee established under ORS 803 575

(b) The application must state the facts of the damage, destruction or loss of the plate

(c) The division, in lieu of replacement, may issue duplicate plates for the same fee as charged for replacements

(d) The plates issued under this subsection are valid only for the period of the plates replaced

(e) Provision for replacement of registration stickers is made under ORS 803 555

(4) This section does not apply to special interest registration plates approved under ORS 805 210 [1983 c 338 §259, 1985 c 16 §100, 1985 c 174 §5, 1985 c 243 §3, 1985 c 570 §3, 1987 c 158 §163]

803.535 Size, form, material, color, design, contents. Subject to ORS 805 200 and the following, the division shall select registration plates it issues

(1) Registration 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 registration 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"

(e) Except as provided by ORS 805 200, registration plates shall bear the distinctive identifica-

tion assigned to the vehicle by the division upon registration of the vehicle

(f) When a pair of registration plates is issued, each plate shall bear the same identification as the other plate of the pair

(2) The division may provide for designation of the registration period for which the registration is issued on the plate by means of stickers described under ORS 803 555 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 described under ORS 803 555 [1983 c 338 §260, 1985 c 16 §101]

803.537 Design, size and material of plates chosen from contest entries; stickers. (1) Subject to ORS 805 200 and this section, the division shall select registration plates it issues.

(2) Registration plates shall be in the size and made of materials determined by the division

(3) Except as otherwise provided in section 3, chapter 572, Oregon Laws 1987, the design of the registration plates, including form, arrangement and color, shall be that chosen by the commission from entries in the contest held pursuant to section 1, chapter 572, Oregon Laws 1987

(4) Except as provided by ORS 805 200, registration plates shall bear the distinctive identification assigned to the vehicle by the division upon registration of the vehicle.

(5) When a pair of registration plates is issued, each plate shall bear the same identification as the other plate of the pair

(6) The division may provide for designation of the registration period for which the registration is issued on the plate by means of stickers described under ORS 803 555 or any other method the division determines appropriate.

(7) The division may provide plates that may be used on a vehicle for successive registration periods when validated by one or more stickers described under ORS 803 555 [1987 c 572 §5]

803.540 Failure to display plates; exceptions; penalty. (1) A person commits the offense of failure to display registration plates if the person operates, on the highways of this state, any vehicle or camper that has been assigned registration plates by this state and the registration plates assigned to the vehicle or camper are displayed in a manner that violates any of the following

(a) The plate must be displayed on the rear of the vehicle, if only one plate is required

(b) Plates must be displayed on the front and rear of the vehicle if two plates are required

(c) The plates must be in plain view and so as to be read easily by the public

(d) The plate must not be any plate that does not entitle the holder thereof to operate the vehicle upon the highways

(2) A person is not in violation of this section if the person is operating a vehicle or camper under and in accordance with the requirements for any of the following

(a) A temporary application permit issued under ORS 803 615

(b) An agent temporary registration permit issued under ORS 803 625

(c) Provisions established under ORS 802 510, 805 140 or 805 150 for the display of registration plates or other evidence of registration on vehicles that are proportionally registered under ORS 805 140 or 805 150

(3) The offense described in this section, failure to display registration plates, is a Class B traffic infraction [1983 c 338 §261 1985 c 668 §13]

803.545 Failure to display out-of-state plates. (1) A person commits the offense of failure to display plates on an out-of-state vehicle if the person operates a vehicle that is registered in any jurisdiction other than this state and the person does not display the registration plates assigned to and furnished for the vehicle by the registering jurisdiction

(a) For the current registration period in that jurisdiction, and

(b) Substantially as provided under ORS 803 540 for vehicles that are registered by this state

(2) This section does not allow the display of out-of-state registration plates on a vehicle when the vehicle is required to be registered in this state by ORS 803 325

(3) The offense described in this section, failure to display plates on an out-of-state vehicle, is a Class C traffic infraction [1983 c 338 §262, 1985 c 16 §102, 1985 c 401 §8]

803.550 Illegal alteration or display of plates; prohibited; described; exceptions; penalty. (1) A person commits the offense of illegal alteration or display of a registration plate if the person knowingly does any of the following

(a) Illegally alters a registration plate in a manner described in subsection (2) of this section

(b) Operates any vehicle that is displaying a registration plate that is illegally altered in a manner described in subsection (2) of this section

(c) Owns and causes or permits a vehicle to display a registration plate that is illegally altered in a manner described in subsection (2) of this section

(2) A registration plate is illegally altered for purposes of this section if the plate has been altered, modified, covered or obscured including, but not limited to the following

(a) Any change of the color, configuration, numbers, letters or material of the plate

(b) Any material or covering, other than a frame or plate holder, placed on, over or in front of the plate that alters the appearance of the plate

(c) Any frame or plate holder that obscures the numbers, letters or registration stickers, so as to render them unreadable

(3) This section does not apply to the following

(a) Any placement of registration stickers described under ORS 803 555

(b) Any public official who displays or performs any alteration of a registration plate in the course of official duties

(c) Any special interest registration plate approved under ORS 805 210

(4) The offense described in this section, illegal alteration or display of a registration plate, is a Class B traffic infraction [1985 c 243 §2]

(Stickers)

803.555 Issuance; contents; number; size, color and design; replacement. (1) The following apply to the use of registration stickers

(a) Upon renewal of registration, the division may issue registration stickers in lieu of new plates. The stickers may be for use with permanent registration plates described under ORS 803 530. Stickers described in this paragraph shall bear the last two numbers of the last year of the registration period for which issued

(b) The division shall issue one registration sticker with the registration plate issued for a travel trailer and upon each renewal of registration of the travel trailer. The registration sticker issued under this paragraph shall be placed upon the plate

(c) The division shall issue a registration sticker with the registration plate issued for a

camper or may issue a registration sticker in lieu of the registration plate for the camper. The sticker must be placed on the rear of the camper in a place designated by the division.

(2) If the division uses registration stickers as a means for designation of the registration period of a vehicle, one or more stickers may be used to validate registration plates for successive registration periods. 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 registration plate for any registration period other than as indicated on the sticker.

(3) Registration stickers shall be of a size, color and design determined by the division and shall be displayed on registration plates in the manner determined by the division. A person who does not display the stickers as required by the division is subject to penalty under ORS 803 560.

(4) The owner of a registered vehicle to which registration stickers are assigned may replace a registration sticker that is lost, destroyed or mutilated in a manner that renders illegible any identification of the sticker. To replace a registration sticker under this subsection, the owner must apply to the division for a replacement of the damaged or lost sticker upon forms prepared by the division and pay the replacement sticker fee established under ORS 803 575. The application must state the facts of the damage, destruction or loss of the stickers. The stickers issued under this subsection are valid only for the period of the stickers replaced. Provision for replacement of registration plates is made under ORS 803 530 [1983 c 338 §267, 1985 c 16 §107, 1985 c 174 §6].

803.560 Improper display; penalty. (1) A person commits the offense of improper display of validating stickers if the person owns or drives a vehicle on which the display of registration stickers described under ORS 803 555 provides proof of valid registration and

(a) The stickers are not displayed in a manner required by the division under ORS 803 555, or

(b) The stickers are displayed on the vehicle after the registration period shown on the stickers.

(2) The offense described in this section, improper display of validating stickers, is a Class D traffic infraction [1983 c 338 §268].

(Fees)

803 570 Plate manufacturing fee.

Except as otherwise specifically provided by law, the division shall collect the fee described by this section each time the division issues a registration plate upon the registration of a vehicle or at other times when a registration plate is issued by the division. The following all apply to the fee established by this section.

(1) The fee shall be in addition to any other fee collected upon issuance of a registration plate.

(2) The fee for each registration plate issued and for each set of two plates issued shall be determined by the division and shall be established by the division by rule.

(3) The division shall establish the fee for a plate or a pair of plates under this section 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 section, the division shall establish separate fees for issuance of single registration plates and pairs of registration plates [1983 c 338 §269, 1985 c 16 §108].

803.575 Fees for cards, plates and stickers; issuance; replacement; transfer.

(1) The fee for issuance of a duplicate or replacement registration card under ORS 803 510 is \$5.

(2) The fee for issuance of a new registration card under ORS 803 220, indicating a change of address, is \$5.

(3) The fee for issuance of a replacement or duplicate registration plate under ORS 803 530 is the fee established under ORS 803 570, together with a fee of \$11.

(4) The fee for transfer of registration plate under ORS 803 530 or 803 590 is \$6.

(5) The fee for issuance of replacement registration stickers under ORS 803 555, is \$11.

(6) The fee for issuance of both replacement or duplicate registration plates and replacement registration stickers, when issued at the same time, is \$11, in addition to the fee established under ORS 803 570.

(7) The fee paid under subsections (3), (5) and (6) of this section includes the cost of any duplicate or replacement registration card issued [1983 c 338 §271, 1985 c 16 §110, 1985 c 174 §8, 1985 c 736 §2, 1987 c 750 §8].

803 580 [1983 c 338 §220 repealed by 1987 c 750 §12]

803.585 Registration fees as substitute for taxes on vehicles; exemptions. (1) Except as otherwise provided in this section or ORS 820 500, the registration fees imposed upon vehicles under the vehicle code, 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. Fixed load vehicles are not exempt from ad valorem taxation by this section.

(2) Campers and travel trailers subject to registration and titling under the vehicle code are not subject to ad valorem taxation except as provided in ORS 308 880, and once a camper or travel trailer has been titled and registered under the vehicle code, the owner shall continue currently to register and have it titled except as provided in ORS 308 880 [1983 c 338 §221]

(Miscellaneous)

803.590 Disposition of plates and refund of fees when certain vehicles are destroyed or withdrawn from service. (1) The owner of a vehicle described in this subsection shall be permitted to transfer the registration plates from the vehicle to a like vehicle to be similarly used if the vehicle is destroyed or permanently withdrawn from service within this state and if the registration fee for the vehicle was more than \$10. To make a transfer of registration under this section, the owner of the vehicle shall pay the division a registration transfer fee established under ORS 803 575, file a written statement indicating the withdrawal or destruction with the division and surrender the registration card for the vehicle. The division shall issue a registration card without payment of further fee. If the weight on the certificate of weight of the vehicle receiving the transferred registration exceeds that of the vehicle destroyed or withdrawn, the owner must pay registration fees on the increased weight. This subsection applies to the following vehicles:

(a) Motor trucks with a registration weight of more than 8,000 pounds

(b) Truck tractors with a registration weight of more than 8,000 pounds

(c) Trailers with a registration weight of more than 8,000 pounds. This paragraph does not include travel trailers or mobile homes

(d) Commercial busses

(2) If a vehicle described under this subsection is destroyed accidentally so as to be incap-

able of further operation, the person in whose name the vehicle is registered is entitled to a refund of that portion of the fee applicable to the then unexpired portion of the registration period. The certificate of title, registration card and registration plates must be surrendered to the division for cancellation when application for refund is made under this section. Claims for refunds under this section shall be filed and paid as provided for refunds under ORS 802 110. To qualify for a refund under this section, a registration fee in excess of \$10 must have been paid for the vehicle, the vehicle must have been registered in this state and the vehicle must be one of the following:

(a) A motor truck with a registration weight of more than 8,000 pounds

(b) A truck tractor with a registration weight of more than 8,000 pounds

(c) A trailer with a registration weight of more than 8,000 pounds

(d) A mobile home, travel trailer, camper or bus trailer

(3) If a vehicle is permanently withdrawn from a fleet that is proportionally registered under ORS 805 150, 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 the vehicle shall be credited to the proportional registration account of the owner. The amount credited to the account under this subsection shall be equal to the amount paid with respect to the vehicle when it was first proportionally registered in the registration period, reduced by one-twelfth of the total proportional registration responsibility of the vehicle for each calendar month and fraction thereof elapsing between the first day of the month of the current registration period in which the vehicle was registered and the date the notice of withdrawal is received by the division. The credit shall be applied against liability for subsequent additions to be prorated during the registration year or for additional fees due upon audit. If the credit is less than \$5, no credit shall be made or entered. In no event shall the amount be credited against fees other than those for the registration period, nor shall any such amount be subject to refund [1983 c 338 §219, 1985 c 253 §2, 1987 c 750 §9]

VEHICLE PERMITS

803.600 Trip permits; authority granted; types; records; when not required. A trip permit grants authority to temporarily

operate a vehicle on the highways of this state under circumstances where the operation would not otherwise be legal because the vehicle is not registered by this state or because provisions relating to the vehicle's registration do not allow the operation. The division shall provide for the issuance of trip permits in a manner consistent with this section. All of the following apply to permits issued under this section:

(1) The division shall issue the following types of trip permit to authorize the described type of operation and shall not issue trip permits for any other purpose:

(a) A commercial vehicle trip permit may be issued for a vehicle that is regulated by the Public Utility Commission under ORS chapter 767 and that is not registered in this state to allow operation of the vehicle in this state without registration. A permit described in this paragraph is valid for 10 consecutive days.

(b) A noncommercial vehicle trip permit may be issued for a vehicle not registered in this state and not regulated by the Public Utility Commission under ORS chapter 767 to allow operation of the vehicle in this state without registration. Permits described in this paragraph may be issued for periods of 10 days, 30 days, 60 days, 90 days or 120 days but no person may receive the authority granted under a noncommercial vehicle trip permit for more than 120 days in any 12-month period for any given vehicle. A person who applies for a noncommercial permit must certify that the person has not been granted permits that together authorize the person to exceed the maximum number of days of operation allowed by this paragraph and that the permit applied for would not, in conjunction with other permits received, authorize the person to exceed the maximum number of days of operation allowed by this paragraph.

(c) A registration weight trip permit may be issued for a vehicle that is registered in this state to allow the vehicle to be operated with a greater loaded weight than is permitted by the registration weight established for the vehicle or at a greater loaded weight than is otherwise permitted under the registration for the vehicle if the vehicle is not required to establish a registration weight. A permit issued under this paragraph does not authorize movements or operations for which a variance permit is required under ORS 818.200. A permit issued under this paragraph shall show the maximum loaded weight allowed for operation under the permit. A permit issued under this paragraph is valid for 10 consecutive days.

(d) A registered vehicle trip permit may be issued for a vehicle that is registered in this state to allow the vehicle to operate under conditions or in ways not permitted by the terms of the vehicle registration. The division shall determine by rule the kinds of operation for which permits may be issued under this paragraph. A permit issued under this paragraph is valid for 10 consecutive days.

(e) A mobile home trip permit may be issued to allow movement of a mobile home. Except movements of mobile homes by vehicle transporters permitted under ORS 822.310, all movements of mobile homes on the highways of this state shall be by trip permit. The provisions under ORS 820.560 and 820.570 apply to trip permits for mobile homes in addition to the requirements under this section. A permit issued under this paragraph is valid during the movement of the mobile home specifically authorized by the permit.

(2) The following requirements for records are established concerning permits issued under this section:

(a) Any carrier regulated by the Public Utility Commission shall maintain records of commercial vehicle trip permits and registration weight trip permits issued to the carrier as required by the commission by rule.

(b) The division is not required to keep records concerning commercial vehicle trip permits, but shall provide the Public Utility Commission with the information from each such permit issued.

(c) Requirements for the division to maintain records concerning trip permits other than commercial vehicle trip permits are established under ORS 802.200.

(3) An owner or operator of a vehicle may obtain a trip permit. The fees for issuance of trip permits are as provided under ORS 803.645.

(4) The division shall make the trip permits available to all field offices and agents maintained by the division and may make arrangements for the issuance of the permits by designated individuals, firms or associations for the convenience of the motoring public.

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

(6) The division shall adopt rules for the issuance, sale and control of all trip permits.

(7) Trip permits are not required for the operation of unregistered vehicles other than mobile homes where such operation is permitted as follows

(a) By vehicle dealers as permitted under ORS 822 040

(b) By vehicle transporters as permitted under ORS 822 310

(c) By towing businesses as permitted under ORS 822 210

(8) Trip permits are not required for the operation of unregistered vehicles where such operation is permitted under ORS 803 305

(9) Unregistered vehicles that are operated without a trip permit are subject to the prohibitions and penalties for operation of unregistered vehicles under ORS 803 300 or 803 315, as appropriate. Mobile homes that are moved on the highways without a trip permit, where a trip permit is required, are subject to penalty as provided under ORS 820 570

(10) The division shall prepare a report that details the instances of noncommercial vehicle, registration weight and registered vehicle trip permits. The report shall explain the reasons noncommercial vehicle, registration weight and registered vehicle trip permits are issued. A copy of the report shall be submitted, during the Sixty-fourth Legislative Assembly, to each legislative committee established to deal primarily with issues concerning transportation

(11) A trip permit may be issued to a school vehicle registered under ORS 805 050 for use of the vehicle for purposes not permitted under ORS 805 050 [1983 c 338 §272, 1985 c 16 §111, 1985 c 313 §4, 1985 c 547 §16]

803.605 Erroneous issuance of trip permit; refund of fee. When the division determines that it has erroneously issued a trip permit to a person who did not require the permit, the division may refund to the person any fee the person paid for the permit [1985 c 313 §6]

Note ORS 803 605 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 803 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

803.610 Reciprocity permits. A reciprocity permit is a vehicle permit that may be issued to identify vehicles operating under a reciprocal agreement established under ORS 802 500. When required by an agreement, the division shall provide for the issuance of reciprocity permits as authorized by the agreement. All of the following apply to the issuance of permits under this section

(1) The issuance of permits shall comply with the agreement authorizing their issuance

(2) Permits may be used to identify vehicles entitled to operate within the areas described in an agreement [1983 c 338 §273, 1985 c 668 §16]

803.615 Temporary permit for registration applicant. The division may issue a temporary permit in a form determined by the division to an applicant for registration to permit the applicant to operate the vehicle while the division is determining all facts relative to the right of the applicant to receive a certificate of title, regular registration plates and regular registration [1983 c 338 §276, 1985 c 16 §112, 1985 c 401 §10, 1987 c 146 §9]

803.620 Temporary proportional registration permit. The division may issue temporary proportional registration permits to qualifying persons pending registration of vehicles under proportional registration under ORS 805 140 or proportional fleet registration under ORS 805 150 and issuance of appropriate identification devices. The fee for issuance of a temporary proportional registration permit under this section is as provided under ORS 803 645 [1983 c 338 §277]

803.625 Temporary registration permits issued by agents. (1) Persons designated by the division under ORS 802 030 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 registration plates from the division.

(2) Forms for temporary permits issued under this section shall be furnished and, subject to ORS 803 640, prescribed by the division

(3) The division shall specify, by rule, the procedures to be followed by persons issuing and using temporary permits issued under this section. Persons violating rules established by the division under this subsection are subject to penalty under ORS 803 630 and 803 635 [1983 c 338 §278, 1985 c 284 §3]

803.630 Agent violation of temporary registration permit procedures; penalty.

(1) A person commits the offense of agent violation of temporary registration permit procedures if the person is authorized to issue temporary registration permits under ORS 803 625 and the person violates any rules adopted by the division concerning the procedures for issuing the permits

(2) The offense described in this section, agent violation of temporary registration permit

procedures, is a Class B traffic infraction [1983 c 338 §279]

803.635 Improper use of temporary registration permit; penalty. (1) A person commits the offense of improper use of temporary registration permit if the person is issued a temporary registration permit under ORS 803 625 and the person does any of the following

(a) Violates any rule adopted by the division under ORS 803 625 concerning the use of the permit

(b) Fails to keep the permit on and upon the vehicle during the period until the receipt of the permanent registration plates

(c) Fails to remove the permit from the vehicle upon receipt of permanent registration plates

(2) The offense described in this section, improper use of temporary registration permit, is a Class B traffic infraction [1983 c 338 §280]

803.640 Prohibition on showing name and residence address on permit. (1) Vehicle permits issued under ORS 803 600 to 803 620 that are required to be displayed so as to be visible from the outside of a vehicle shall not show the name or residence address of the registered owner of the vehicle or of the person who has applied for registration or titling of the vehicle

(2) The division may require that permits described in this section contain the driver license number of the registered owner or of the person who has applied for registration or titling of the vehicle displaying the permit and the name of the state that issued the driver license

(3) If the division determines that the information authorized by subsection (2) of this section is not sufficient to identify the registered owner or person who has applied for registration or titling of a vehicle issued a permit described in this section, the division may require that the person operating the vehicle have in the person's possession any information the division determines is necessary for identification. Such information, if required, shall be on a form prescribed by rule by the division and may not be required to be displayed so as to be visible from outside the vehicle [1985 c 284 §2]

803.645 Fees for trip permits and temporary proportional registration permits. (1) Fees for trip permits issued under ORS 803 600 are as follows

(a) For a commercial vehicle trip permit, \$10
 (b) For a noncommercial vehicle trip permit

- (A) For 10 days, \$5
- (B) For 30 days, \$10
- (C) For 60 days, \$20
- (D) For 90 days, \$30
- (E) For 120 days, \$40

(c) For a registration weight trip permit, \$5
 (d) For a registered vehicle trip permit, \$5
 (e) For a mobile home trip permit, \$5

(2) The fee for issuance of a temporary proportional registration permit under ORS 803 620, \$1 [1983 c 338 §281, 1985 c 16 §113, 1985 c 313 §5, 1985 c 400 §4]

803.650 Placement of permits in vehicles. (1) A permit issued under ORS 803 600, 803 615 or 803 625 shall be placed on the left side of the rear window of the vehicle unless

(a) The vehicle has no rear window, or

(b) The design of the vehicle or of any equipment lawfully added to the vehicle is such that a permit placed as required by this section could not easily be seen from outside the vehicle

(2) The division shall adopt rules for the placement of permits that cannot be placed on the left side of the rear window of a vehicle [1987 c 166 §2]

803.655 Improper display of a permit; penalty. (1) A person commits the offense of improper display of a permit if the person is issued a permit under ORS 803 600, 803 615 or 803 625, and the person does not display the permit on the vehicle in the manner required by ORS 803 650 or as required by the division by rule

(2) The offense described in this section, improper display of a permit, is a Class B traffic infraction [1987 c 166 §4]

803.660 Color and size of permits. The color and size of the print on permits issued under ORS 803 600, 803 615 and 803 625 shall be such that the permits can easily be read [1987 c 166 §3]

CHAPTER 804

[Reserved for expansion]

OREGON VEHICLE CODE
