

# Chapter 803

1989 EDITION

## Vehicle Title and Registration

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### CROSS REFERENCES

- Administration by Motor Vehicles Division of functions under ORS Ch. 803, 802.010
  - Commercial vehicle registration, PUC, 768 001 to 768 027
  - 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
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## VEHICLE TITLE AND REGISTRATION

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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 upon the transfer of a vehicle under ORS 803.094, and may include space for the transferor to disclose odometer information required on transfer of title under ORS 803.102.

(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.

(17) The certificate shall contain any other information required by the division. [1983 c.338 §175; 1985 c.16 §58; 1985 c.251 §14, 1985 c.253 §1; 1985 c.402 §6; 1987 c.127 §1, 1989 c.148 §8]

**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 un-

der 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 801.026. 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 and Class III all-terrain vehicles are not subject to the requirements under ORS 803.025. The requirements and procedures for titling snowmobiles and Class I and Class III 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, 802.520 or 768.003, unless oth-

erwise 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 or 768.003.

(B) Vehicles operated under an exemption established under ORS 802.520.

(C) Vehicles that are proportionally registered under an agreement established under ORS 768.005, and according to the procedures established under ORS 768.007 or 768.009.

(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, 802.520 or 768.003 or 768.005 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, 1989 c.43 §17; 1989 c.991 §24]

**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 shall 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) Except as otherwise provided in ORS 803.050 (2), the person shall complete an application for issuance of a certificate of title described in ORS 803.050.

(3) The person shall 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 shall 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 covered by an Oregon title, the applicant shall surrender the Oregon title, submit an application as provided under ORS 803.065 or submit other evidence of ownership satisfactory to the division.

(6) If the vehicle is from another jurisdiction, the applicant shall 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 shall surrender the registration cards.

(7) 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.

(8) If required by the division, the person shall submit proof as described under ORS 803.205 for the purposes of establishing ownership.

(9) 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, 1989 c.148 §9]

**803.050 Application; contents.** (1) An application for a certificate of title required under ORS 803.045 shall be upon a form furnished by the division or other form acceptable to the division and shall contain all the following:

(a) A full description of the vehicle, including but not necessarily limited to, the vehicle identification number.

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

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

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

(e) 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.

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

(g) The signature of at least one of the parties having an ownership interest in the vehicle.

(h) If the title application shows both a security interest and a leasehold interest, the lessor shall also be required to sign the application.

(i) Any other information required by the division.

(2) Notwithstanding subsection (1) of this section, the division may accept an application that does not contain everything required by this section if the division is satisfied as to the ownership of the vehicle. [1983 c 338 §180, 1985 c 16 §62; 1985 c 251 §15, 1985 c 300 §1; 1985 c.402 §8a; 1987 c 750 §3a; 1989 c 148 §10]

**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 di-

vision 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 803.092. 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 803.092. 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 shall 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 803.092 when application is made under this subsection at the same time. [1983 c.338 §183; 1985 c.174 §1; 1985 c.300 §2, 1989 c.148 §11]

#### (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 803.092, \$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, 1989 c.148 §12]

**(Transfer of Title or Interest)**

**803.092 Application for title upon transfer of interest; when and by whom required; exceptions.** (1) Except as otherwise provided in this section, upon the transfer of any interest in a vehicle covered by an Oregon certificate of title the transferee shall submit an application for title to the division. Such application shall be submitted to the division within 30 days of the date of transfer of interest.

(2) Notwithstanding subsection (1) of this section, application is not required under this section when:

(a) The change involves only a change in the security interest where the security interest holder or lessor 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, a licensee under ORS chapter 725, a bank holding company under the provisions of the federal Bank Holding Company Act of 1956, as amended, 12 U.S.C. 1841, et seq., or any subsidiary of any of the foregoing and the transfer of the interest of the security interest holder or lessor results from the merger, conversion, reorganization, consolidation or acquisition of the security interest holder or lessor.

(b) The vehicle is transferred to a vehicle dealer and the vehicle will become part of the dealer's inventory for resale. Upon the transfer of a vehicle to a dealer, however, the dealer shall immediately notify the division of such transfer.

(c) The vehicle is to be titled in another jurisdiction.

(d) The vehicle has been wrecked, dismantled, disassembled, substantially altered or destroyed, in which case the provisions of ORS 819.010, 819.020 or 822.135 relating to notice and surrender of title documents shall be complied with.

(e) The transfer involves the creation or termination of a leasehold interest in a vehicle that is proportionally registered under ORS 805.140 or 805.150, if the division is furnished with satisfactory proof of the lease.

(3) Except as provided in subsection (2) of this section, the transferee shall:

(a) Submit an application that meets requirements for title under ORS 803.045 and 803.050 and any applicable rules of the division.

(b) Submit the title transfer fees as required under ORS 803.090.

(c) Comply with the provisions of ORS 803.065 and any applicable rules of the division under that statute and submit the duplicate or replacement title fee as provided under ORS 803.090, if the transfer includes an application for duplicate or replacement title and transfer of title.

(d) Submit any late presentation of certificate of title fee as provided under ORS 803.090 if such fee is required under ORS 803.105. [1989 c.148 §3, 1989 c.452 §7]

**803.094 Release or assignment of interest on title certificate; when and by whom required; exceptions.** (1) Except as otherwise provided in this section, upon the transfer of any interest shown on an Oregon certificate of title any person whose interest is released, terminated, assigned or transferred, shall release or assign that interest on the title certificate. If required under ORS 803.102, the person shall also complete an odometer disclosure statement.

(2) Notwithstanding subsection (1) of this section:

(a) In the case of a transfer by operation of law of any interest shown on an Oregon title, the personal representative, receiver, trustee, sheriff or other representative or successor in interest of the person whose interest is transferred shall release or assign interest on the title certificate and if required under ORS 803.102, complete an odometer disclosure statement and shall provide the certificate and disclosure statement if required to the transferee. The representative or successor shall also provide the transferee with documentation satisfactory to the division concerning all facts entitling such representative or successor to transfer title. If there is no person to assign interest, the person to whom interest is awarded or otherwise transferred shall be responsible for the requirements of this paragraph.

(b) In the case of a transfer at death of the interest of the owner, lessor or security interest holder if the estate is not being probated and title is not being transferred under the provisions of ORS 114.545, interest may be assigned through the use of an affidavit. The affidavit shall be on a form prescribed by the division and signed by all of the known heirs of the person whose interest is being transferred stating the name of the person to whom the ownership interest has been passed. If any heir has not arrived at the age of majority or is otherwise incapacitated,

tated, the parent or guardian of the heir shall sign the affidavit. In the case of a transfer under this paragraph, one of the heirs shall complete any odometer disclosure statement required under ORS 803.102.

(c) In the case of a transfer at death of the interest of the owner, lessor or security interest holder where transfer occurs under the provisions of ORS 114.545, the "affiant" as defined in ORS 114.505 is the person required to assign interest and complete any odometer disclosure statement required under ORS 803.102.

(d) Upon the termination of a lease, in lieu of the lessee releasing interest, the lessor may provide documentation satisfactory to the division that the lease has been terminated. The lessor shall provide an odometer disclosure statement if required under ORS 803.102.

(e) 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 or the validity or priority of the interest. A person not given notice of such 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. This paragraph does not exempt such assignments from title transfer requirements.

(3) Nothing in this section requires the release or assignment of title upon the creation or termination of a leasehold interest for a vehicle that is proportionally registered under ORS 805.140 or 805.150 if the division is furnished with satisfactory proof of the lease for such vehicle.

(4) Notwithstanding subsections (1) and (2) of this section, the division by rule may allow releases or assignments of interests to be on a form other than the certificate of title. The division by rule may also allow odometer disclosure statements to be on a form other than the certificate of title.

(5) Persons subject to the provisions of this section shall provide to the transferee the title certificate, if it is in their possession, the release or assignment of interest, and any required odometer disclosure statement. [1989 c.148 §2]

803.095 [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, 1989 c.43 §18; repealed by 1989 c.148 §20]

**803.097 Perfection of security interest in vehicle.** (1) Except as provided in subsection (4) of this section, the exclusive means for perfecting a security interest in a vehicle is by application for notation of the

security interest on the certificate of title in accordance with this section. 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 application 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; 1989 c.148 §13]

**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 803.097 shall be determined by the provisions of the Uniform Commercial Code. [1983 c.338 §190; 1985 c.16 §66, 1989 c.148 §14]

**803.102 Odometer disclosure statement upon transfer of interest; when required.** (1) This section applies only to those motor vehicles currently titled in Oregon that are subject to odometer reading requirements at the time of title transfer under ORS 815.400 and that are not otherwise exempt under division rules. This section does not apply to transfers involving the creation or termination of leasehold interests for vehicles proportionally registered under ORS 805.140 or 805.150, if the division is furnished with satisfactory proof of the lease.

(2) Upon transfer of any interest in a motor vehicle subject to this section, an

odometer disclosure statement is required as follows:

(a) Where the interest of the owner, other than a lessee, shown on the title is released, an odometer reading as described in ORS 815.400 is required from that owner.

(b) Upon the termination of a leasehold interest that is shown on the certificate of title, the lessor shall complete an odometer reading as described in ORS 815.400.

(3) Where an odometer reading is required from someone whose interest is transferred by operation of law, the personal representative, receiver, trustee, sheriff or other representative or successor in interest of the person whose interest is transferred shall record the mileage shown on the odometer, in lieu of the person whose interest is being transferred. If there is no person to assign interest the person to whom interest is awarded or otherwise transferred shall be responsible for the requirements of this subsection. (1989 c 148 §4)

**803.105 Failure to deliver documents on transfer; late fee; penalty.** (1) Except as provided in ORS 803.092, 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 shall 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. However, the fee for late presentation does not apply if the transferee proves to the satisfaction of the division that:

(A) The transferee made a good faith effort to obtain title; or

(B) Failure to comply was for a reason beyond the control of the transferee.

(b) Upon transfer of title or any interest in a vehicle to a vehicle dealer, the vehicle dealer shall immediately notify the division that the vehicle has been transferred to the dealer and shall submit an odometer reading described under ORS 815.400.

(c) Upon creation of a leasehold interest in a vehicle, the lessor or holder shall 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 vehicles that are pro-

portionally registered under ORS 768.007 or 768.009.

(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 proportionally registered under ORS 768.007 or 768.009 if the division is furnished satisfactory proof of the lease.

(e) Upon creation of a leasehold interest in vehicles that are proportionally registered under ORS 768.007 or 768.009, the lessee shall furnish the Public Utility Commission 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, shall 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, shall 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) Notwithstanding paragraph (a) of this subsection, 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 shall present the certificate of title to the division within 30 days after receiving the certificate of title.

(i) Within 15 calendar days of 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) Notwithstanding paragraph (a) of this subsection, upon satisfaction of a security interest in a vehicle, the holder of the certificate of title and the release shall 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; 1989 c.43 §19; 1989 c.148 §15; 1989 c.452 §5]

803.110 [1985 c.485 §3; repealed by 1989 c.148 §20]

**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. Implements of husbandry are not subject to this section by virtue of exemption under ORS 319.520 from the lien provided for by ORS 319.700. [1983 c.338 §192; 1989 c.992 §30]

#### (Transitional Ownership Documents)

**803.130 Purpose of document.** The purpose of a transitional ownership document is to enable security interests to be perfected in a timely manner when the primary ownership document is not available. [1989 c.927 §7]

**803.132 Circumstances under which transitional ownership document acceptable as ownership document.** A transitional ownership document is acceptable as an ownership document only if the primary ownership document:

(1) Is not in the possession of the selling dealer, new security interest holder or the agent of either at the time the transitional ownership document is submitted to the division; and

(2) To the best of the knowledge of the selling dealer, security interest holder or

agent, will not be available for submission to the division within 10 days of the date of sale or if no sale is involved, within 10 days of the date of a security agreement or contract. [1989 c.927 §8]

**803.134 Fee.** A person submitting a transitional ownership document to the division shall pay a fee of \$13 to the division. The fee shall be paid at the time of submission of the document unless the division by rule establishes alternative payment methods. [1989 c.927 §6]

**803.136 Mandatory rejection or invalidation of document by division.** The division shall reject, return or subsequently invalidate a transitional ownership document if:

(1) More than 10 days have elapsed between the date of sale or if no sale is involved, the date the contract or security interest being perfected was signed and the date the transitional ownership document is received by the division;

(2) The transitional ownership document does not contain all of the information specified in ORS 801.562;

(3) It is determined that persons named on the transitional ownership document as having a security interest did not have a security interest on the date the transitional ownership document was received;

(4) It is determined the person who submitted the transitional ownership document made false certification in completing the transitional ownership document;

(5) The division does not receive the primary ownership document within 30 days from the date of sale or if no sale is involved, from the date the security agreement or contract was signed;

(6) The security interest holder or person submitting the transitional ownership document elects to retain it, requests it be returned or requests that the transitional ownership document be withdrawn; or

(7) The information on the transitional ownership document has been changed or altered in a manner that is not acceptable to the division. [1989 c.927 §9]

**803.138 Discretionary rejection or invalidation of document by division.** The division may reject, return or subsequently invalidate a transitional ownership document if:

(1) It is determined that title is to be issued to someone other than the person shown on the transitional ownership document;

(2) Interests reflected on the primary ownership document or documents submitted

in conjunction with that document conflict with the interests as reflected on the transitional ownership document; or

(3) The person submitting the transitional ownership document has failed to submit the fee required by ORS 803.134 or to comply with an alternative payment method established by the division under ORS 803.134. [1989 c 927 §10]

### 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 nonresident 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 803.092, 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; 1989 c 148 §16]

**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 or lessor 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, a licensee under ORS chapter 725, a bank holding company under the provisions of the federal Bank Holding Company Act of 1956, as amended, 12 U.S.C. 1841, et seq., or any subsidiary of any of the foregoing.

(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, 1989 c.452 §6]

**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 801.026. 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 and Class III 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 768.003, 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 768.003 or 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 768.005 and according to the procedures established under ORS 768.007 and 768.009.

(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 is in effect under ORS 768.003, 768.005, 802.500 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, 1989 c 43 §20; 1989 c 991 §25]

**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 requirements under this section are not met. 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 all of the following requirements are met:

(1) The applicant 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) The applicant completes an application described under ORS 803.370. If the ve-

hicle 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) The applicant pays the division the registration fee established under ORS 803.420 and any applicable fees for issuance of registration plates.

(4) For motor vehicles, proof of compliance with pollution control equipment requirements is provided to the division. Proof required to comply with this subsection is described under ORS 815.310. This subsection does not apply if the vehicle is exempt from the requirements for proof of compliance under ORS 815.300.

(5) If inspection of the vehicle is required by ORS 803.210:

(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, the applicant submits proof of ownership or submits an affidavit as described under ORS 803.205.

(7) The applicant 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) The applicant 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) The applicant 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; 1989 c.22 §1]

**803.355 "Domicile" described.** For purposes of ORS 803.350 to 803.370 and 807.045, 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; 1989 c.636 §15]

**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 or eligible employees 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; 1989 c.695 §3]

**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 day a vehicle is registered and runs through the same day two years later. Once a vehicle is registered under biennial registration, the registration period of the vehicle begins and ends with that same day each time the vehicle is reregistered or registration for the vehicle is renewed. Vehicles initially registered on February 29 will expire on the last day of February two years later.

(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; 1989 c.76 §1]

**803.405 Effect of initial registration month.** (1) The month in which any vehicle is initially registered under annual registration 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.

(2) The day on which any vehicle is initially registered under biennial registration

or when required under ORS 820.520 is the day established as the beginning and ending of registration periods for the vehicle unless the division adjusts the registration period of the vehicle upon initial registration under ORS 803.410. [1983 c.338 §223; 1989 c.76 §2]

**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) 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, 1989 c.43 §21]

**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.

(c) Trailers that will be operated on the highways at a loaded weight of more than 8,000 pounds and are not travel trailers, mobile homes, fixed load vehicles, special use trailers or any other trailer not registered by weight.

(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 768.007 or proportional fleet registration under ORS 768.009:

(a) Vehicles required to establish a registration weight under ORS 803.430.

(b) Commercial busses.

(c) Vehicles registered as farm vehicles under ORS 805.300.

(4) Snowmobiles and Class I and Class III all-terrain vehicles are registered as provided in ORS 821.080.

(5) Mobile homes are registered as provided in ORS 820.500.

(6) Vehicles operated by dealers who hold certificates under ORS 822.020 are as provided under ORS 822.040.

(7) Trailers for hire that will be operated at a loaded weight of 8,000 pounds or less 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.

(8) 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.

(9) Vehicles registered under ORS 805.100 have an ownership registration period.

(10) 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; 1989 c.43 §22; 1989 c.723 §7; 1989 c.991 §26]

**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. Except as provided in ORS 801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing body of a county or by the governing body of a district, as defined in ORS 801.237 under ORS 801.041 or 801.042 as an additional registration fee for the vehicle. 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, \$30.

(2) Mopeds, \$9.

(3) Motorcycles, \$9.

(4) Government-owned vehicles registered under ORS 805.040, \$2.

(5) State-owned vehicles with regular registration plates registered under ORS 805.045, \$2 on registration or renewal.

(6) Undercover vehicles registered under ORS 805.060, \$2 on registration or renewal.

(7) Antique vehicles registered under ORS 805.010, \$30.

(8) Vehicles of special interest registered under ORS 805.020, \$45.

(9) Electric vehicles as follows:

(a) The registration fee for an electric vehicle not otherwise described in this subsection is \$60.

(b) The registration fee for electric vehicles that have two or three wheels is \$30. 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 768.011 or 803.430.

(10) Motor vehicles required to establish a registration weight under ORS 768.011 or 803.430, and commercial busses as provided in the following chart, based upon the combined gross weight submitted in the weight certificate prepared under ORS 768.013 or 803.435:

Weight in Pounds		Fee
8,000 or less		\$ 15
8,001 to 10,000		245
10,001 to 12,000		255
12,001 to 14,000		260
14,001 to 16,000		265
16,001 to 18,000		275
18,001 to 20,000		285
20,001 to 22,000		290
22,001 to 24,000		300
24,001 to 26,000		305
26,001 to 28,000		120
28,001 to 30,000		125
30,001 to 32,000		135
32,001 to 34,000		140
34,001 to 36,000		150
36,001 to 38,000		155
38,001 to 40,000		165
40,001 to 42,000		170
42,001 to 44,000		180
44,001 to 46,000		185
46,001 to 48,000		190
48,001 to 50,000		200
50,001 to 52,000		210
52,001 to 54,000		215
54,001 to 56,000		220
56,001 to 58,000		230
58,001 to 60,000		240
60,001 to 62,000		250
62,001 to 64,000		260
64,001 to 66,000		265
66,001 to 68,000		275
68,001 to 70,000		280
70,001 to 72,000		290
72,001 to 74,000		295
74,001 to 76,000		305
76,001 to 78,000		310
78,001 to 80,000		320
80,001 to 82,000		325
82,001 to 84,000		335
84,001 to 86,000		340
86,001 to 88,000		350
88,001 to 90,000		355
90,001 to 92,000		365
92,001 to 94,000		370
94,001 to 96,000		380
96,001 to 98,000		385
98,001 to 100,000		390
100,001 to 102,000		400
102,001 to 104,000		405
104,001 to 105,500		415

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)(a) Motor vehicles with a registration weight of more than 8,000 pounds that are described in ORS 767.022, that are operated by a charitable organization as described in ORS 767.025 (15) or that are certified under ORS 822.205, as provided in the following chart:

Weight in Pounds	Fee
8,001 to 10,000	\$ 50
10,001 to 12,000	60
12,001 to 14,000	65
14,001 to 16,000	75
16,001 to 18,000	80
18,001 to 20,000	90
20,001 to 22,000	95
22,001 to 24,000	105
24,001 to 26,000	110
26,001 to 28,000	120
28,001 to 30,000	125
30,001 to 32,000	135
32,001 to 34,000	140
34,001 to 36,000	150
36,001 to 38,000	155
38,001 to 40,000	165
40,001 to 42,000	170
42,001 to 44,000	180
44,001 to 46,000	185
46,001 to 48,000	190
48,001 to 50,000	200
50,001 to 52,000	210
52,001 to 54,000	215
54,001 to 56,000	220
56,001 to 58,000	230
58,001 to 60,000	240
60,001 to 62,000	250
62,001 to 64,000	260
64,001 to 66,000	265
66,001 to 68,000	275
68,001 to 70,000	280
70,001 to 72,000	290
72,001 to 74,000	295
74,001 to 76,000	305
76,001 to 78,000	310
78,001 to 80,000	320
80,001 to 82,000	325
82,001 to 84,000	335
84,001 to 86,000	340
86,001 to 88,000	350
88,001 to 90,000	355
90,001 to 92,000	365
92,001 to 94,000	370
94,001 to 96,000	380
96,001 to 98,000	385
98,001 to 100,000	390
100,001 to 102,000	400
102,001 to 104,000	405
104,001 to 105,500	415

(b) The owner of a vehicle described in paragraph (a) of this subsection must certify at the time of registration, in a manner determined by the division by rule, that the motor vehicle will be used exclusively as described in ORS 767.022, 767.025 (15) or 822.210.

(12) Trailers registered under permanent registration, \$10.

(13) 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, \$30.

(b) If no certificate of weight is submitted or if the weight of the vehicle is in excess of 3,000 pounds, \$75.

(14) Trailers for hire that are equipped with pneumatic tires made of an elastic material and that are not travel trailers, mobile homes or trailers registered under permanent registration, \$15.

(15) Trailers under ORS 805.130, for a special five-year registration as follows:

(a) A \$15 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 \$15 fee at the beginning of each 12-month period; or

(b) A \$75 fee for the entire five-year period.

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

(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.

(17) Special use trailers as follows, based on length as determined under ORS 803.425:

(a) For lengths 6 to 10 feet, \$30.

(b) For special use trailers over 10 feet in length, \$30 plus \$3 a foot for each foot of length over the first 10 feet.

(18) Fees for vehicles with proportional registration under ORS 768.007, or proportional fleet registration under ORS 768.009, 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 768.005.

(19) For any vehicle that is registered under a quarterly registration period, a minimum of \$15 for each quarter registered plus an additional fee of \$1.

(20) 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.

(21) The registration fee for vehicles with special registration for disabled veterans under ORS 805.100 is a fee of \$15.

(22) The registration fee for mobile homes is as provided in ORS 820.580.

(23) Subject to subsection (19) of this section, the registration fee for motor vehicles registered as farm vehicles under ORS 805.300 is as follows based upon the combined gross weight given in the certificate of weight submitted under ORS 803.435:

Weight in Pounds	Fee
8,000 or less	\$ 15
8,001 to 10,000	30
10,001 to 12,000	33
12,001 to 14,000	45
14,001 to 16,000	50
16,001 to 18,000	60
18,001 to 20,000	65
20,001 to 22,000	75
22,001 to 24,000	80
24,001 to 26,000	90
26,001 to 28,000	95
28,001 to 30,000	105
30,001 to 32,000	110
32,001 to 34,000	120
34,001 to 36,000	125
36,001 to 38,000	135
38,001 to 40,000	140
40,001 to 42,000	150
42,001 to 44,000	155
44,001 to 46,000	165
46,001 to 48,000	170
48,001 to 50,000	180
50,001 to 52,000	185
52,001 to 54,000	190
54,001 to 56,000	200
56,001 to 58,000	210
58,001 to 60,000	215
60,001 to 62,000	220
62,001 to 64,000	230
64,001 to 66,000	240
66,001 to 68,000	245
68,001 to 70,000	250
70,001 to 72,000	260
72,001 to 74,000	265
74,001 to 76,000	275
76,001 to 78,000	280
78,001 to 80,000	290
80,001 to 82,000	295
82,001 to 84,000	305
84,001 to 86,000	310
86,001 to 88,000	320
88,001 to 90,000	325
90,001 to 92,000	335
92,001 to 94,000	340
94,001 to 96,000	350
96,001 to 98,000	355

98,001 to 100,000	365
100,001 to 102,000	370
102,001 to 104,000	380
104,001 to 105,500	385

(24) The registration fee for school vehicles registered under ORS 805.050 is \$7.50. [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; 1989 c 43 §23, 1989 c 723 §§8, 8a, 1989 c 864 §7, 1989 c 865 §§7, 7a, 7b, 7c, 7d, 7e, 7f, 1989 c 992 §§11, 11a, 11b, 11c]

**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) Of over 105,500 pounds combined gross weight under a variance permit issued under ORS 818.200;

(C) Under a registration weight trip permit issued under ORS 803.600; or

(D) 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 combined gross 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. The maximum registration weight for any vehicle required to establish a registration weight under this section is 105,500 pounds. Vehicles operating at weights above 105,500 pounds will operate under a variance permit issued under ORS 818.200.

(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 combined gross weight of more than 8,000 pounds.

(b) Any truck tractor that will be operated on the highways at a combined gross weight of more than 8,000 pounds.

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

(d) Any other motor vehicle that will be operated on the highways at a combined gross weight of more than 8,000 pounds.

(e) A self-propelled mobile crane.

(f) Any motor vehicle registered as a farm vehicle under ORS 805.300.

(4) A 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 is not required to establish registration weight under this section. [1983 c.338 §230, 1985 c.16 §87; 1985 c.71 §3; 1985 c.172 §6, 1989 c.723 §9]

**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 busses, the certificate shall contain the unloaded weight of the vehicle plus the unloaded weight of any bus trailer to be used in combination with the vehicle. The certificate shall also indicate the number of persons, including the driver, to be carried in the vehicle, plus the number of persons to be carried on any bus trailer to be used in combination with the vehicle. 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, plus the unloaded weight of any bus trailer to be used in combination with the vehicle, to a weight determined by multiplying the maximum seating capacity of the vehicle plus the maximum seating capacity of any bus trailer to be used in combination with the vehicle, 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 all vehicles not otherwise provided for by this section and for which a certificate is prepared or required, the certificate shall contain the registration weight of the vehicle. [1983 c.338 §231, 1985 c.16 §88; 1985 c.189 §3; 1989 c.723 §10; 1989 c.992 §12c]

**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.

(c) Any vehicle registered as a farm vehicle under ORS 805.300.

(d) Any vehicle registered under the proportional registration provisions of ORS 768.007 or 768.009.

(2) The offense described in this section, failure to submit a certificate of weight, is a Class D traffic infraction. [1983 c.338 §232; 1989 c.43 §24; 1989 c.723 §11]

**803.445 Authority of counties and districts to impose registration fees; maximum amount.** (1) The governing body of a county may impose registration fees for vehicles as provided in ORS 801.041.

(2) The governing body of a district may impose registration fees for vehicles as provided in ORS 801.042.

(3) The division shall provide by rule for the administration of laws authorizing county and district registration fees and for the collection of those fees.

(4) Any registration fee imposed under this section shall be imposed in a manner consistent with ORS 803.420.

(5) No county or district may impose a vehicle registration fee that would by itself, or in combination with any other vehicle registration fee imposed under this section, exceed the amount of the fee imposed under ORS 803.420 (1). The owner of any vehicle subject to multiple fees under this section shall be allowed a credit or credits with respect to one or more of such fees so that the total of such fees does not exceed the amount of the fee imposed under ORS 803.420 (1). [1989 c 864 §2]

#### (Renewal)

**803.450 Notice of pending expiration; exceptions; effect of failure to receive; records.** (1) The division or the Public Utility Commission 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 or the commission shall not be required to notify the registered owner of an approaching expiration if the division or the commission 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 or the commission 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; 1989 c 43 §25]

#### **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 Proof of compliance with pollution control equipment requirements.**

The division shall not issue renewal of registration unless the division receives proof 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, 1989 c 22 §2]

#### **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 reg-

istration 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 by the division, 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.
- (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; 1989 c.43 §26]

#### **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 or Class III 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 or Class III 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; 1989 c.991 §27]

**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)

**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. [1983 c.338 §258; 1985 c.668 §12; 1989 c.43 §27]

**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 reg-

istration 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 identification 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, and ORS 803.538, 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, 1989 c.742 §5]

**803.538 Color of sky in graphic plates.** Registration plates chosen by the commission pursuant to section 1, chapter 572, Oregon Laws 1987, shall have the colors chosen by the commission except that the sky shall be blue. [1989 c.742 §4]

Note: Section 6, chapter 742, Oregon Laws 1989, provides:

Sec. 6. Registration plates with the color specified in section 4 of this Act [803.538] shall first be issued on January 1, 1990, or after the inventory of graphic plates in the possession of the division on the effective date of this Act [July 20, 1989] or ordered by the division prior to the effective date of this Act is exhausted, whichever comes first. [1989 c.742 §6]

**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 768.005, 768.007 or 768.009 for the display of registration plates or other evidence of registration on vehicles that are proportionally registered under ORS 768.007 or 768.009.

(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, 1989 c.43 §28]

**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 reg-

istration 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 the last two numbers of the last year of the registration period for which issued and another sticker shall bear information identifying the month of expiration. If only one sticker is used, the sticker shall bear the last two numbers of the last year of the registration period for which issued and information identifying the month of expiration. 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; 1989 c.76 §3]

**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, ORS 801.041, 801.042 or 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; 1989 c 864 §8]

#### (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) Commercial busses.

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

incapable 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 mobile home, travel trailer or camper. [1983 c.338 §219, 1985 c.253 §2, 1987 c.750 §9; 1989 c.43 §29, 1989 c.103 §1; 1989 c.723 §12]

### 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 heavy motor vehicle trip permit may be issued for a motor vehicle with a combined gross weight of more than 8,000 pounds or that is a fixed load vehicle, and that is not registered in this state. A permit described in this paragraph is valid for 10 consecutive days.

(b) A heavy trailer trip permit may be issued for trailers that will be operated on the highways at a loaded weight of more than 8,000 pounds or that is a fixed load vehicle, and that are not registered to allow operation of the vehicle in this state. A permit described in this paragraph is valid for 10 consecutive days. This subsection does not apply to travel trailers, mobile homes, special use trailers or any other trailer that does not register by weight.

(c) A light vehicle trip permit may be issued for a vehicle with a combined gross weight of less than 8,001 pounds that is not a fixed load vehicle and that is not registered in this state to allow operation of the vehicle in this state. 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.

(d) 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 combined gross weight than is permitted by the registration weight established for the vehicle or at a greater combined gross 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 combined gross weight allowed for operation under the permit. A permit issued under this paragraph is valid for 10 consecutive days.

(e) 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.

(f) 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 heavy motor vehicle and heavy trailer 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 heavy motor vehicle and heavy trailer 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 heavy motor vehicle and heavy trailer 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 heavy motor vehicle and heavy trailer 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) 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; 1989 c.723 §13]

**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** [1983 c.338 §277, 1989 c.109 §2; repealed by 1989 c.43 §37]

**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 803.615 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.** Fees for trip permits issued under ORS 803.600 are as follows:

(1) For a heavy motor vehicle trip permit, \$21.

(2) For a heavy trailer trip permit, \$10.

(3) For a 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.

(4) For a registration weight trip permit, \$5.

(5) For a registered vehicle trip permit, \$5.

(6) For a mobile home trip permit, \$5. [1983 c.338 §281; 1985 c.16 §113; 1985 c.313 §5; 1985 c.400 §4; 1989 c.43 §30, 1989 c.109 §3; 1989 c.723 §14]

**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]

**803.665 Towing commercial fishing board without permit.** Notwithstanding

ORS 803.600, a person may tow the person's own commercial fishing boat without a trip permit and regardless of the weight permitted under the registration of the trailer if the combined weight of the towing vehicle, the trailer and the boat is 15,000 pounds or less. [1989 c.992 §12b]

CHAPTER 804

[Reserved for expansion]

**OREGON VEHICLE CODE**

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