

# Chapter 803

1993 EDITION

## Vehicle Title and Registration

TITLES		(Transitional Ownership Records)	
(General)		803.130	Purpose of record
803.010	Proof of ownership	803.132	Circumstances under which transitional ownership record acceptable as ownership record
803.012	Rules for title forms and fees	803.134	Fee
803.015	Certificate contents	803.136	Mandatory rejection or invalidation of record by department
803.016	Titles in form other than certificate	803.138	Discretionary rejection or invalidation of record by department
803.025	Violating title requirements prohibited; penalty	(Salvage Titles)	
803.030	Exemptions from title requirement	803.140	Application; certificate; rules
803.035	Optional titling	PROVISIONS APPLICABLE TO BOTH TITLE AND REGISTRATION	
803.040	Effect of title	(General)	
803.045	Qualifications	803.200	Residency; criteria; exception; camper on vehicle
803.050	Application; contents	803.205	Proof of ownership on transfer or application for title or registration; affidavit
803.055	Delivery of evidence of title	803.207	Expedited titling and registration; fee
803.060	Renewal	803.210	Conditions precedent to issuance of title for certain vehicles
803.065	Duplicate or replacement certificate; fee; application; rules	803.212	Inspection of vehicle identification numbers
(Offenses)		803.215	Fee for inspection
803.070	False statement in application or assignment; penalty	(Offenses)	
803.075	False swearing prohibited; penalty	803.220	Notification to department of name or address change; requirements; procedure; exception; penalty
803.080	Unlawfully publishing certificate of title forms prohibited; penalty	803.225	Failure to designate replica, reconstructed, assembled or specially constructed vehicle in title or registration application; penalty
803.085	Selling untitled vehicle prohibited; penalty	803.230	Forging, altering or unlawfully producing or using title or registration prohibited; penalty
(Fees)		REGISTRATION	
803.090	Fees for transfer, issuance, replacement and late presentation	(General Provisions)	
(Transfer of Title or Interest)		803.300	Failure to register; penalty
803.092	Application for title upon transfer of interest; when and by whom required; exceptions	803.305	Exemptions from general registration requirements
803.094	Release or assignment of title interest; rules; when and by whom required; exceptions	803.310	Optional registration
803.097	Perfection of security interest in vehicle	803.315	Failure to pay registration fee; penalty
803.098	Certain transactions that do not create security interest	803.320	Permitting unlawful operation of unregistered vehicle prohibited; penalty
803.100	Application of Uniform Commercial Code	803.325	Purchase and use of out-of-state registered vehicle prohibited; requirements; penalty
803.102	Odometer disclosure statement upon transfer of interest; when required	(Qualifications)	
803.103	Vehicle identification number check	803.350	Qualifications for registration; fee
803.105	Failure to deliver documents on transfer; late fee; penalty	803.355	"Domicile" described
803.106	Failure to deliver information on transfer of Oregon-titled vehicle for which there is no title certificate; penalty	803.360	Domicile in state required; exceptions
803.115	Effect of tax lien on transfer of vehicle	(Application)	
(Odometer Disclosure)		803.370	Contents of application
803.120	Odometer disclosure; contents of form		
803.122	Information required		
803.124	Rules for issuance of forms; agreements for provision of forms; fee		
803.126	Odometer disclosure without title application; fee		

## OREGON VEHICLE CODE

- 803.375 False application prohibited; penalty
- 803.380 Failure to surrender out-of-state registration; penalty
- 803.385 False swearing relating to registration; penalty

### (Periods and Fees)

- 803.400 Duration of registration periods
- 803.405 Effect of initial registration month
- 803.410 Department authorized to adjust periods and fees
- 803.415 Registration periods for vehicles
- 803.420 Registration fees
- 803.425 Vehicle length for fee determination
- 803.430 Registration weight for fee determination; methods of establishing; requirement
- 803.435 Declaration of weight for fee determination; contents
- 803.440 Failure to submit declaration of weight; penalty
- 803.445 Authority of counties and districts to impose registration fees; maximum amount

### (Renewal)

- 803.450 Notice of pending expiration; exceptions; effect of failure to receive; records
- 803.455 Failure to renew; fee; penalty
- 803.460 Certification or other proof of compliance with financial responsibility requirements
- 803.465 Proof of compliance with pollution control equipment requirements
- 803.473 Effect of unpaid registration fees on issuance of duplicate or replacement certificate of title

### (Cards)

- 803.500 Registration card; contents
- 803.505 Failure to carry registration card; penalty
- 803.510 Duplicate or replacement; fee

### (Plates)

- 803.520 Issuance; fees
- 803.525 Number of plates issued
- 803.530 Period of validity; transfer; replacement
- 803.535 Size, form, material, color, design, contents
- 803.538 Color of sky in graphic plates
- 803.540 Failure to display plates; exceptions; penalty
- 803.545 Failure to display out-of-state plates
- 803.550 Illegal alteration or display of plates; prohibited; described; exceptions; penalty

### (Stickers)

- 803.555 Replacement
- 803.560 Improper display; penalty

### (Fees)

- 803.570 Plate manufacturing fee
- 803.575 Fees for cards, plates and stickers; issuance; replacement; transfer
- 803.577 Fee for identification device for proportionally registered vehicle

- 803.585 Registration fees as substitute for taxes on vehicles; exemptions

### (Miscellaneous)

- 803.590 Disposition of plates and refund of fees when certain vehicles are destroyed or withdrawn from service

### VEHICLE PERMITS

- 803.600 Trip permits; authority granted; types; records; when not required
- 803.602 Statement of insurance coverage for light vehicle trip permit
- 803.605 Erroneous issuance of trip permit; refund of fee
- 803.610 Reciprocity permits
- 803.615 Temporary permit for registration applicant
- 803.625 Temporary registration permits issued by agents
- 803.630 Agent violation of temporary registration permit procedures; penalty
- 803.635 Improper use of temporary registration permit; penalty
- 803.640 Prohibition on showing name or address on permit
- 803.645 Fees for trip permits
- 803.650 Placement of permits in vehicles
- 803.655 Improper display of permit; penalty
- 803.660 Color and size of permits
- 803.665 Towing commercial fishing boat without permit

### CROSS REFERENCES

- Administration by Department of Transportation of functions under this chapter, 802.010
- Commercial vehicle registration, PUC, Ch. 768
- 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, 419C.372, 419C.374, 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
- Registration of commercial vehicles, 768.029 to 768.039
- Revocation and suspension of driving privileges by Department of Transportation, 809.410
- School vehicles required to meet standards of Department of Education, 820.130, 820.140
- Suspension or cancellation of vehicle registration, 809.010 to 809.130
- Unauthorized use of motor vehicle, 164.135

### 803.030

- Exemption from registration requirements of golf carts operated by disabled persons, 820.210

### 803.092

- Transfer of title by vehicle dealer, 822.042

## **VEHICLE TITLE AND REGISTRATION**

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<b>803.095</b>	<b>803.530</b>
Motor vehicle retail installment contract, evidence of satisfaction, 83.610	Certain special registration plates not to remain with vehicle:
<b>803.200</b>	Disabled veterans, 805.100
Suspension of driving privileges of nonresident, 809.490	Former prisoners of war, 805.110
<b>803.420</b>	<b>803.585</b>
Fees for motor carriers, Ch. 767	Manufactured structures eligible as "homestead" under tax laws of state, 310.622
Fees for vehicles used by produce dealers or bakers, 585.050, 625.180	<b>803.600 to 803.625</b>
Vehicle equipment standards, Ch. 815, 816	Refusal or suspension for failure to use same name, 809.060
Weight and size limits for vehicles, Ch. 818	

**OREGON VEHICLE CODE**

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**TITLES**  
**(General)**

**803.010 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 Department of Transportation;
- (2) A salvage title certificate issued by the department; or
- (3) The department records as provided under ORS 802.240. [1983 c.338 §174; 1991 c.873 §29]

**803.012 Rules for title forms and fees.**

(1) The Department of Transportation may adopt rules authorizing different forms of title and specifying the uses of the different forms. The rules may include, but need not be limited to, rules authorizing and describing uses of electronic titles and certificates of title.

(2) Rules adopted under this section may require or allow different forms of title for different purposes or for different persons.

(3) Rules adopted under this section may include fee structures that vary for different forms of title but in no case may the department charge more than the fees established for similar title transactions under ORS 803.090. [1993 c.233 §6]

**803.015 Certificate contents.** The Department of Transportation shall design a certificate of title for vehicles for situations in which the department determines that certificates will be issued. A certificate of title issued by the department shall conform to all of the following:

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

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

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

(4) The certificate shall contain the name of the 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 department upon the transfer of a vehicle under ORS 803.094 and space for the odometer disclosure required on transfer of an interest 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 as reported to the department at the time the most recent title transfer was reported to the department, or the mileage reported to the department at the time the vehicle was initially titled in Oregon, whichever occurred last. The information required by this subsection shall be shown as reported to the department on odometer disclosure reports required by law to be submitted to the department.

(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 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 department receives a salvage title, salvage certificate, wrecker's bill of sale or similar document or information that indicates the vehicle has been damaged.

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

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

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

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

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

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

(17) If the vehicle has been reported to the department as a totaled vehicle under the provisions of ORS 819.012 or 819.014, the certificate shall contain the word "totaled" unless the reason for the report was theft and the vehicle has been recovered.

(18) The certificate shall contain any other information required by the department.

(19) The certificate shall be produced by a secure process that meets or exceeds the requirements of federal law. [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; 1991 c.820 §9; 1991 c.873 §7; 1993 c.233 §14]

**803.016 Titles in form other than certificate.** If title to a vehicle is not to be issued in the form of a certificate, the record of title kept by the Department of Transportation shall include all information required by ORS 803.015. Nothing in this section requires that title issued in a form other than a certificate:

(1) Be numbered as required by ORS 803.015 (1);

(2) Be authenticated as required by ORS 803.015 (7);

(3) Have the space required by ORS 803.015 (8); or

(4) Be produced by a secure process as required by ORS 803.015 (19). [1993 c.233 §16]

**803.020** [1985 c.251 §14a; repealed by 1991 c.873 §53]

**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 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; 1993 c.233 §17]

**803.030 Exemptions from title requirement.** This section establishes exemptions from the requirements under ORS 803.025 to obtain 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) Title from this state is not required for a vehicle unless the vehicle is operated on a highway in this state.

(2) Title from this state is not required unless a vehicle is operated under a registration number of this state.

(3) Manufactured structures 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 title.

(6) Trolleys are exempt from the requirements for title.

(7) Bicycles are exempt from the requirements for title.

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

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

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

(14) Golf carts or similar vehicles are exempt from requirements for 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 otherwise provided under paragraph (c) of this subsection.

(c) Except as otherwise provided in this paragraph, a vehicle operated over the highways of this state for compensation or profit must comply with the titling requirements under ORS 803.025 in the same manner as required of nontitled vehicles. The following vehicles are not subject to this paragraph:

(A) Vehicles operated under reciprocal registration exemptions established under ORS 802.500 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 title.

(21) Vehicles that are registered under the proportional registration provisions of ORS chapter 768 and are titled in a jurisdiction other than Oregon are exempt from the requirements for title.

(22) Converter dollies and tow dollies are exempt from the requirements for 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; 1991 c.284 §13; 1991 c.459 §438f; 1991 c.477 §1; 1993 c.233 §18]

**803.035 Optional titling.** (1) The Department of Transportation, 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 sub-

section may provide for the titling of categories of vehicles, types of vehicles or otherwise. Upon request of an owner, the department may issue title for a vehicle that meets the requirements of rules adopted under this section.

(2) A vehicle that is issued 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; 1993 c.233 §19]

**803.040 Effect of title.** (1) If this state has issued 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 Department of Transportation.

(c) A salvage title is issued for the vehicle.

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

(a) At some time after issuance of the 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 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; 1991 c.873 §30; 1993 c.233 §20]

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

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

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

(3) The person shall pay the fee for issuance of a certificate of title under ORS 803.090 or the fee for issuance of title in another form, as established by the department by rule in accordance with ORS 803.012.

(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, a salvage title certificate issued for the vehicle or other evidence of ownership satisfactory to the department.

(b) Bills of sale for major components used to build the vehicle.

(5) If the vehicle is covered by an Oregon title or salvage title certificate, the applicant shall surrender the Oregon title or salvage title certificate, submit an application as provided under ORS 803.065 or submit other evidence of ownership satisfactory to the department.

(6) Unless the department adopts rules to the contrary, if the vehicle is from another jurisdiction, the applicant shall surrender to the department with the application the certificate of title issued by the other jurisdiction, if such jurisdiction requires certificates of title. If such jurisdiction does not require certificates of title, then the applicant shall surrender the registration cards.

(7) No title shall be issued by the department 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 department, the person shall submit proof as described under ORS 803.205 for the purposes of establishing ownership.

(9) If the department has reason to believe a vehicle was not certified by the original manufacturer as conforming to federal vehicle standards, the department may require the applicant to provide the department with proof the department determines appropriate to establish to the satisfaction of the department that the vehicle conforms to federal vehicle standards.

(10) Unless the vehicle is exempted from odometer disclosure requirements, the applicant shall submit an appropriate odometer disclosure form. The department shall determine what constitutes an appropriate form in any particular situation. The department may make exceptions by rule to the requirement for submission of an odometer disclosure form. [1983 c.338 §178; 1985 c.16 §61; 1985 c.402 §7; 1985 c.410 §1; 1987 c.146 §5; 1989 c.148 §9; 1991 c.873 §8; 1993 c.233 §21]

**803.050 Application; contents.** (1) An application for title required under ORS 803.045 shall be in a form specified by the

Department of Transportation 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 title.

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

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

(e) A disclosure of whether the vehicle is a replica or is specially constructed, reconstructed or assembled. If the title and registration records of the department 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) If the title application shows a leasehold interest, the lessor shall designate whether the lessor or the lessee is to be shown on the title as the owner of the vehicle.

(g) Any other information required by the department.

(2) Notwithstanding subsection (1) of this section, the department may accept an application that does not contain everything required by this section if the department 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; 1991 c.551 §2; 1991 c.873 §9; 1993 c.233 §22]

**803.055 Delivery of evidence of title.** (1) When a certificate of title is issued by this state, the Department of Transportation shall deliver the certificate as follows unless otherwise provided by law:

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

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

(c) If there are no security interest holders or lessors, to the owner of the vehicle.

(2) When a salvage title certificate is issued by this state, the department shall deliver the certificate to the owner of the vehicle.

(3) The department may determine by rule whether, when, how and to whom titles issued in a form other than a certificate shall be delivered. [1983 c.338 §181; 1985 c.16 §63; 1991 c.873 §31; 1993 c.233 §23]

**803.060 Renewal.** A 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 title changes. [1983 c.338 §182; 1985 c.316 §1; 1993 c.233 §24]

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

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

(b) The fee for issuance of a duplicate or replacement certificate of title or for a salvage title certificate established under ORS 803.090 is paid.

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

(b) When the department accepts an application, the department 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 department may accept any proof of transfer under this paragraph that establishes to the satisfaction of the department 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 department 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 department finds convenient.

(e) The department 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 department 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; 1991 c.873 §10]

**(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 in an application for title to a vehicle, in an application for salvage title for a vehicle 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; 1991 c.873 §32; 1993 c.233 §25; 1993 c.751 §21]

**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. For purposes of this section, "titling of vehicles" includes, but is not necessarily limited to, matters and things related to salvage titles for vehicles issued by the Department of Transportation.

(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; 1991 c.873 §33; 1993 c.233 §26; 1993 c.751 §22]

**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 Department of Transportation, facsimiles of the blank forms upon which the department issues certificates of title or salvage title certificates.

(2) The offense described in this section, unlawfully publishing certificate of title forms, is a Class C felony. [1983 c.338 §186; 1991 c.873 §34]

**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 title for the vehicle or the requirements of ORS 819.016 to obtain a salvage title for the vehicle, as appropriate.

(2) The offense described in this section, selling an untitled vehicle, is a Class A misdemeanor. [1983 c.338 §187; 1985 c.393 §3; 1991 c.873 §35; 1993 c.233 §27]

**(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, \$10.

(2) The fee for issuance of a certificate of title under ORS 803.045 or a salvage title certificate under ORS 803.140, \$10.

(3) The fee for issuance of a duplicate or replacement certificate of title or salvage title certificate under ORS 803.065, \$10. 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, \$10.

(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.

(6) The fees for title transactions involving a form of title other than a certificate shall be the amounts established by the Department of Transportation by rule under ORS 803.012. [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; 1991 c.873 §11; 1993 c.233 §28]

**(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 title the transferee shall submit an application for title to the Department of Transportation. Such application shall be submitted to the department 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:

(A) Results from the merger, conversion, reorganization, consolidation or acquisition of the security interest holder or lessor;

(B) Is to an entity that is a member of the same affiliated group as the security holder or lessor; or

(C) Is made in connection with a transfer in bulk.

(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 department of such transfer. This exemption from the requirement to apply for title does not apply if the department determines that application for title is necessary in order to comply with odometer disclosure requirements. If the department determines that application for title is not required, it may require filing of documents under ORS 803.126.

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

(d) The vehicle has been totaled, wrecked, dismantled, disassembled, substantially altered or destroyed, in which case the provisions of ORS 819.010, 819.012, 819.014 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 768.007 or 768.009, if the department 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 department.

(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 department 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 an odometer disclosure containing information required by the department for the kind of transaction involved.

(e) Submit any late presentation of certificate of title fee as provided under ORS 803.090 if such fee is required under ORS 803.105.

(4) For purposes of this section:

(a) "Affiliated group" has the meaning given to the term in section 1504(a) of the Internal Revenue Code of 1986, as amended (26 U.S.C. 1504(a)).

(b) A "transfer in bulk" is:

(A) The sale or assignment of, the grant of a security interest in, or any other transfer of either a group of loans secured by vehicles, leases of vehicles or both or a participation or other interest in the group of loans;

(B) The creation of asset-backed securities or other securing of assets involving the loans or leases; or

(C) Any similar transaction involving the loans or leases. [1989 c.148 §3; 1989 c.452 §7; 1991 c.67 §212; 1991 c.820 §14; 1991 c.873 §12; 1993 c.233 §29; 1993 c.427 §1]

**803.094 Release or assignment of title interest; rules; when and by whom required; exceptions.** (1) Except as otherwise provided in this section, upon the transfer of any interest shown on an Oregon title any person whose interest is released, terminated, assigned or transferred, shall release or assign that interest in a manner specified by the Department of Transportation by rule. Rules adopted for purposes of this subsection shall be designed, as much as possible, to protect the interests of all parties to the transfer. 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 and if required by the department by rule, as provided under ORS 803.102, complete an odometer disclosure statement and shall provide the certificate, if any, and disclosure statement if required to the transferee. The representative or successor shall also provide the transferee with information satisfactory to the department 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 department 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, the parent or guardian of the heir shall sign the affidavit. In the case of a transfer under this paragraph, one of the heirs or any other person designated by the department by rule 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. The department may designate by rule the affiant or any other person to 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 information satisfactory to the department that the lease has been terminated. The lessor shall provide an odometer disclosure statement if required under ORS 803.102. If the lessor does not take possession of the vehicle upon termination of the lease, the information in the odometer disclosure given by the lessor may be taken from an odometer disclosure given by the lessee to the lessor under ORS 803.102 unless the lessor has reason to believe that the disclosure by the lessee does not reflect the actual mileage of the vehicle.

(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 chapter 79. 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 768.007 or 768.009 if the department is furnished with satisfactory proof of the lease for such vehicle.

(4) The department by rule may 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 a title certificate, if one has been issued and is in their possession, the release or assignment of interest, and any required odometer disclosure statement. If an odometer disclosure statement is required, the transferee shall provide a signed disclosure to the transferor in a form determined by the department by rule. [1989 c.148 §2; 1991 c.67 §213; 1991 c.873 §13; 1993 c.233 §30]

**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 title in accordance with this section. The application may accompany the application for a title or may be made separately at any time prior to issuance of title and must be accompanied by evidence of ownership as defined by the Department of Transportation by rule unless the department is in possession of evidence of ownership when it receives the application. If title to the vehicle has been issued in a form other than a certificate, and the title reflects a security interest, the application for perfection shall include authorization from the previous security interest holder for the new security interest to be recorded on the title. Authorization under this subsection is not required if:

(a) A release of interest is submitted by the prior security interest holder or the department is otherwise satisfied that the prior holder no longer holds an interest or is otherwise not entitled to title to the vehicle;

(b) The security interest is being added to the title in conjunction with the cancellation of previous title or other action the department takes to correct ownership information reflected on a title; or

(c) Title is being transferred by operation of law.

(2) When the department processes an application for a security interest the department shall mark on the application or otherwise indicate on the record the date the application was first received by the department. The department shall determine by rule what constitutes receipt of an application for purposes of this subsection.

(3) If the department has the evidence 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

on the application or indicated in the record by the department. If the application does not contain the information required by this subsection, or if the department does not have the required evidence, the department shall indicate on the application or on the record that the date placed on the application or the record 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; 1993 c.233 §31]

**803.098 Certain transactions that do not create security interest.** Notwithstanding any other provision of law, in the case of motor vehicles or trailers, a transaction does not create a sale or security interest merely because it provides that the rental price is permitted or required to be adjusted under the agreement either upward or downward by reference to the amount realized upon sale or other disposition of the motor vehicle or trailer. [1993 c.646 §25]

**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) As used in this section:

(a) "Transferee" means any person to whom ownership of a motor vehicle is transferred by purchase, gift or any other means other than by creation of a security interest and any person who, as an agent, signs an odometer disclosure statement for the transferee.

(b) "Transferor" means any person who transfers ownership of a motor vehicle by sale, gift or any means other than by creation of a security interest and any person who, as an agent, signs an odometer disclosure statement for the transferor.

(2) Except as otherwise provided in this section, upon transfer of any interest in a motor vehicle, an odometer disclosure statement shall be made by the transferor to the transferee. The disclosure shall be in a form that complies with the provisions of ORS 803.120 and shall contain the information required under ORS 803.122.

(3) If a transfer requiring a disclosure statement involves a leased vehicle, the les-

or shall notify the lessee that the lessee is required to provide odometer disclosure. The lessee shall furnish the lessor with a form that complies with the requirements of ORS 803.120 and shall provide the information required by ORS 803.122 except that for purposes of the required information, the lessee shall be considered the transferor, the lessor shall be considered the transferee and the date shall be the date of the disclosure statement.

(4) Where an interest in a vehicle is transferred by operation of law, the Department of Transportation shall determine by rule whether an odometer disclosure statement is required and if so, who is required to provide it.

(5) The odometer disclosure requirements of this section do not apply upon transfer of an interest where the transfer is due solely to the creation, release or assignment of a security interest, or upon transfer of an interest in any of the following:

(a) A vehicle with a gross vehicle weight rating of more than 16,000 pounds.

(b) A vehicle that is not self-propelled.

(c) A vehicle that is at least 10 years old.

(d) A vehicle that is sold directly by the manufacturer to any agency of the United States in conformity with contractual specifications.

(e) A vehicle that is exempted from the requirement by rules of the department. [1989 c.148 §4; 1991 c.67 §214; 1991 c.873 §1]

**803.103 Vehicle identification number check.** (1) With every vehicle title transfer, the Department of Transportation shall check the vehicle identification number or numbers on the vehicle title or other primary ownership records against those listed as stolen by the Law Enforcement Data System. If the check indicates the vehicle is stolen, the department:

(a) Shall immediately notify the Oregon State Police or, if the department determines it would be appropriate to do so, notify another law enforcement agency; and

(b) Shall not issue title within 30 days of giving the notice required by paragraph (a) of this subsection unless the department is notified before the end of the 30 days that the vehicle is not stolen. After the passage of the 30-day period, the department may issue the title.

(2) The department may issue title to a vehicle that is listed as stolen without giving the notice required by of subsection (1)(a) of this section if the department is satisfied that the applicant for title is the person from whom the vehicle was stolen or is the insurer of that person.

(3) The department may check with the National Crime Information Center and the Law Enforcement Data System for information about vehicles in situations other than those specified in ORS 803.212 and subsections (1) and (2) of this section if the department determines that it is appropriate to do so. [1991 c.576 §§3,4; 1993 c.233 §32]

**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 Department of Transportation 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 department 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 department 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 department that the vehicle has been transferred to the dealer.

(c) Upon creation of a leasehold interest in a vehicle, the lessor or holder shall present the certificate of title to the department within 30 days of the transfer. This paragraph does not apply to the creation of leasehold interests in vehicles that are proportionally 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 department 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.

(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 department. 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 department 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 department 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; 1991 c.284 §14; 1993 c.18 §167; 1993 c.233 §33]

**803.106 Failure to deliver information on transfer of Oregon-titled vehicle for which there is no title certificate; penalty.** (1) A person commits the offense of failure to deliver information on transfer of a vehicle for which the Department of Transportation has issued title in a form other than a certificate if the person does not comply with rules adopted by the department concerning the information to be delivered.

(2) Nothing in this section authorizes the department to adopt rules requiring compliance with this section by persons who would be exempt from compliance with ORS 803.105 even if they had been issued certificates of title by the department.

(3) The offense described in this section, failure to deliver information on transfer of a vehicle, is a Class D traffic infraction. [1993 c.233 §35]

**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 Department of Transportation shall not issue, to the transferee or person otherwise entitled thereto, a registration card or title with respect to such motor vehicle until the department 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; 1993 c.233 §36]

#### (Odometer Disclosure)

**803.120 Odometer disclosure; contents of form.** (1) When an odometer disclosure is required by statute or by the Department of Transportation, the disclosure shall be in a form required by the department by rule. The department may require different forms of disclosure for different situations and may require different information to be disclosed for different purposes.

(2) Any form authorized by the department for use as an odometer disclosure upon transfer of an interest in a vehicle shall refer to the federal law requiring disclosure of odometer information and shall state that

failure to complete the disclosure form, or providing false information on the form, may result in a fine or imprisonment.

(3) Any form authorized by the department for use as an odometer disclosure upon transfer of an interest in a vehicle shall provide a way for the transferor to indicate, to the best of the transferor's knowledge, which of the following is true:

(a) That the odometer reading reflects the actual mileage of the vehicle;

(b) That the odometer reading reflects an amount of mileage in excess of the designed mechanical odometer limit; or

(c) That the odometer reading does not reflect actual mileage and should not be relied on.

(4) An odometer disclosure required upon transfer of an interest in a vehicle shall be made on the vehicle title unless the department provides otherwise by rule. [1991 c.873 §3]

**803.122 Information required.** (1) When an odometer disclosure is required at time of transfer of a vehicle, the transferee and the transferor shall both sign the odometer disclosure form and the transferor shall provide as much of the following as is required by the Department of Transportation by rule:

(a) The odometer reading at the time of transfer, excluding tenths of miles.

(b) The date of transfer.

(c) The transferor's name, which shall be printed, and current address.

(d) The transferee's name, which shall be printed, and current address.

(e) The identity of the vehicle, including its make, model, year and body type and the vehicle identification number.

(f) Any other information that the department determines by rule would further the purposes of the odometer disclosure requirements.

(2) In addition to providing the information required by subsection (1) of this section, the transferor shall indicate, in a manner determined by the department, which of the statements described in ORS 803.120 (3) is accurate. [1991 c.873 §4]

**803.124 Rules for issuance of forms; agreements for provision of forms; fee.**

(1) The Department of Transportation may adopt rules providing for issuance of any forms it considers necessary or convenient for assigning or conveying interests in vehicles and any forms it considers necessary or convenient for providing required odometer disclosures. The authority granted by this section includes, but is not necessarily limited to, authority to enter into agreements

authorizing others to provide the forms authorized by this section to the public.

(2) The department may establish fees for providing forms authorized by this section. Fees shall be designed to recover the cost of producing and providing the forms. An agreement entered into by the department for the purpose of providing forms authorized by this section to the public may provide for a fee to be charged by the person providing the forms. [1991 c.873 §6]

**803.126 Odometer disclosure without title application; fee.** (1) The Department of Transportation by rule may allow the filing of documents related to odometer disclosure without an accompanying application for issuance or transfer of title. The department may determine situations in which such documents may be filed and what documents are acceptable.

(2) A person filing an odometer disclosure statement under this section shall pay a fee of \$4. [1991 c.873 §6a]

#### (Transitional Ownership Records)

**803.130 Purpose of record.** The purpose of a transitional ownership record is to enable security interests to be perfected in a timely manner when the primary ownership record is not available. [1989 c.927 §7; 1993 c.233 §41]

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

(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 record is submitted to the Department of Transportation; 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 department 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; 1993 c.233 §42]

**803.134 Fee.** A person submitting a transitional ownership record to the Department of Transportation shall pay a fee of \$13 to the department. The fee shall be paid at the time of submission of the record unless the department by rule establishes alternative payment methods. [1989 c.927 §6; 1993 c.233 §43]

**803.136 Mandatory rejection or invalidation of record by department.** The Department of Transportation shall reject, return or subsequently invalidate a transitional ownership record 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 record is received by the department;

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

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

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

(5) The department does not receive the primary ownership record 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 record elects to retain it, requests it be returned or requests that the transitional ownership record be withdrawn; or

(7) The information on or in the transitional ownership record has been changed or altered in a manner that is not acceptable to the department. [1989 c.927 §9; 1993 c.233 §44]

**803.138 Discretionary rejection or invalidation of record by department.** The Department of Transportation may reject, return or subsequently invalidate a transitional ownership record if:

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

(2) Interests reflected on the primary ownership record or in information submitted in conjunction with that record conflict with the interests as reflected on the transitional ownership record; or

(3) The person submitting the transitional ownership record has failed to submit the fee required by ORS 803.134 or to comply with an alternative payment method established by the department under ORS 803.134. [1989 c.927 §10; 1993 c.233 §45]

#### (Salvage Titles)

**803.140 Application; certificate; rules.**

(1) When a person is required by the provisions of ORS 819.016 to apply for a salvage title for a vehicle, the application shall be in a form acceptable to the Department of Transportation and shall contain any information required by the department by rule. Rules adopted by the department may in-

clude, but need not be limited to, provisions for accepting an application under this section that does not contain all the information otherwise required, if the department is satisfied as to ownership of the vehicle.

(2) The department may design a salvage title certificate for vehicles and by rule may prescribe the contents of the certificate. A salvage title certificate shall be produced by a secure process that meets or exceeds the requirements of federal law.

(3) The department may issue a salvage title certificate to a person who submits an application that meets the requirements imposed by the department under this section and submits the fee required under ORS 803.090.

(4) The department may adopt any rules it considers necessary for the administration of the salvage title process. The rules may include, but need not be limited to, rules specifying:

(a) Permissible uses of a salvage title certificate.

(b) Requirements for replacement or surrender of a salvage title certificate or for issuance of a new certificate.

(c) Records that will be kept by the department.

(d) Forms of salvage title other than certificates. [1991 c.873 §28; 1993 c.233 §37]

## 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.

(4) Notwithstanding subsection (1) of this section, a person who is gainfully employed in this state shall not be considered a resident of the state if the person has taken no other steps to become a resident. This subsection applies, but is not limited, to a student at an educational institution who is paying nonresident tuition rates. [1983 c.338 §198; 1993 c.751 §87]

**803.205 Proof of ownership on transfer or application for title or registration; affidavit.** (1) The Department of Transportation may require proof under this section if the department 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 title under ORS 803.045 or in an application for registration of a vehicle under ORS 803.350.

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

(a) Is in a form required by the department by rule;

(b) Contains any information the department 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 department is not liable to any person for issuing title or registering a vehicle based on proof provided under this section.

(4) Nothing in this section affects any power of the department to refuse to issue or to revoke title or registration. [1983 c.338 §199; 1989 c.148 §16; 1993 c.233 §38]

**803.207 Expedited titling and registration; fee.** (1) The Department of Transportation by rule may establish procedures for providing expedited services related to the titling and registration of vehicles when such services are needed because of problems related to odometer disclosure requirements. This authority is in addition to the department's authority to provide expedited services for other reasons on an individual case basis.

(2) The department may charge a fee of not more than \$10 for providing expedited services authorized by this section. [1991 c.873 §5]

**803.210 Conditions precedent to issuance of title for certain vehicles.** (1) The Department of Transportation shall not issue 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 department for the inspection.

(2) Except as provided in subsections (3) and (4) 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 department, or a person is required to report to the department, under ORS 819.010, 819.012, 819.014 or 819.030.

(d) Any vehicle if the department 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 department 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 manufactured structures.

(4) The requirements of this section do not apply to the following vehicles if the person shown as the owner on an out-of-state title for the vehicle applies for an Oregon title in that person's name:

(a) A rental truck, rental truck tractor or rental trailer that is registered in Oregon

under an interstate agreement that provides that a portion of the owner's fleet is to be registered in each state in which the fleet operates.

(b) A trailer or semitrailer that has permanent registration. [1983 c.338 §200; 1985 c.16 §71; 1985 c.402 §9; 1985 c.410 §2; 1987 c.146 §2; 1991 c.820 §15; 1993 c.174 §8; 1993 c.233 §39]

**803.212 Inspection of vehicle identification numbers.** (1) The Department of Transportation, or persons or agencies authorized to do so by the department, 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 department may designate certified dealers 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 department, on the title or primary ownership record or contained in other information received by the department.

(2) If a vehicle that is required by ORS 803.210 to be inspected is located in another jurisdiction, the department 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 department 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 department:

(a) Shall immediately notify the Oregon State Police or, if the department determines it would be appropriate to do so, notify another law enforcement agency; and

(b) Shall not issue title within 30 days of giving the notice required by paragraph (a) of this subsection unless the department is notified before the end of the 30 days that the vehicle is not stolen. After the passage of the 30-day period, the department may issue the title.

(4) The department may refer a vehicle to the Oregon State Police or other appropriate law enforcement agency for a vehicle identification number inspection if:

(a) Inspection of the vehicle under this section reveals that the vehicle identification number on the vehicle is different from the number provided to the department or appears to have been tampered with, altered or defaced; or

(b) The vehicle is a reconstructed or assembled vehicle or has been reported destroyed or totaled under ORS 819.012, 819.014 or 819.030 or is any other salvaged vehicle from another jurisdiction. This subsection does not apply to a vehicle that has been reported totaled to the department because of theft and has subsequently been recovered.

(5) If the department refers a vehicle to a law enforcement agency under subsection (4) of this section, the law enforcement agency shall inspect the vehicle. If the law enforcement agency determines 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 law enforcement agency may seize the vehicle and may hold the vehicle until completing an investigation to establish the origin and ownership of the vehicle. The department shall reimburse the Department of State Police, and may reimburse any other law enforcement agency, for any inspections conducted under this subsection in an amount agreed upon by the department and the Department of State Police or other law enforcement agency. [1987 c.146 §4; 1991 c.576 §1; 1991 c.820 §16; 1993 c.233 §40a; 1993 c.751 §23]

**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 department of name or address change; requirements; procedure; exception; penalty.** (1) A person commits the offense of unlawful failure to notify the Department of Transportation 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;

(b) Changes names, by marriage or otherwise, from that shown on the title 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 department of the change. Notice of a change of name or address must be given to the department within 30 days of the change.

(b) If the person changes names, by marriage or otherwise, from that shown on the title and a 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 department in a timely manner.

(c) Any time the name is changed from that on the title, any certificate of title that has been issued must be submitted to the department 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 by making application therefor and paying the appropriate fee under ORS 803.090.

(4) If title has been issued in a form other than a certificate, a person requesting a change in name shall provide authorization from the primary security interest holder, if any, to have the title changed. If the authorization is not received, the department shall continue to reflect the previous name on the title. Nothing in this subsection precludes the department from including the new name in records maintained in conjunction with title whether or not authorization is received.

(5) Upon receipt of notice of a change and any authorization required under this section, the department shall note the change in its records. Upon receipt of the notice and the fee required under ORS 803.090, the department shall issue a new certificate of title indicating the change.

(6) 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.

(7) The offense described in this section, unlawful failure to notify the department 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; 1993 c.233 §46a; 1993 c.751 §88]

**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 indicated 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; 1993 c.233 §47]

**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 Department of Transportation under the vehicle code or any assignment thereof or any certificate of registration issued by the Public Utility Commission.

(b) Holds or uses certificate of title, certificate of registration or assignment thereof issued by the department or by the Public Utility Commission knowing the certificate or assignment has been altered or forged.

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

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

(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; 1991 c.407 §22]

## 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 manufactured structure 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 manufactured structure 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) Manufactured structures 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) Vehicles being used for the purposes of forest protection and fire suppression are exempt if the vehicles are necessary in order to comply with ORS 477.615 or 477.650 or a similar federal statute. The exemption under this subsection also applies to the vehicles described being moved to or from the work area.

(14) Golf cart exemptions from registration are as provided in ORS 820.210.

(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 an agreement entered into pursuant to ORS 802.500, 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.

(22) Tow dollies and converter dollies 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; 1991 c.284 §15; 1991 c.459 §438g; 1993 c.174 §3; 1993 c.303 §2]

**803.310 Optional registration.** (1) The Department of Transportation, 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 department 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 or ORS chapter 768 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; 1991 c.407 §23]

**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 un-

der the vehicle code or under ORS chapter 768, as appropriate, 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 or with ORS chapter 768, as appropriate.

(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; 1991 c.407 §24]

### (Qualifications)

**803.350 Qualifications for registration; fee.** This section establishes the requirements for qualification for registration. The Department of Transportation shall not issue registration to a vehicle if the requirements under this section are not met. The department, 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 title in the applicant's name at the same time the person makes application for registration, or presents satisfactory evidence that title covering the vehicle has been previously issued to the applicant.

(2) The applicant completes an application described under ORS 803.370. If the vehicle is a reconstructed or assembled vehicle or a replica, the person must indicate that fact in the application or be subject to ORS 803.225.

(3) The applicant pays the department 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 department. 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) 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 department 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 department may require the person to submit proof of domicile. The department shall determine by rule what constitutes proof of domicile.

(6) 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.

(7) 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; 1993 c.233 §48]

**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 Department of Transportation may refuse to register or reregister a vehicle until the applicant complies with the requirements. An application shall contain all of the following:

(1) The true name and, except as provided for officers or eligible employees in ORS 802.250, actual residence or business address of the owner. The department may provide by rule for acceptance of something other than an actual residence or business address if the department determines that the applicant does not have an actual address.

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

(3) An odometer disclosure in a form determined by the department by rule pursuant to ORS 803.120, if a disclosure is otherwise required.

(4) Any other information required by the department.

(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 department shall adopt rules to determine proof that will be acceptable for purposes of this subsection.

(6) A statement:

(a) 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; and

(b) That so long as the vehicle remains registered to the applicant in this state, the applicant will remain domiciled in this state if required to do so in order to register the vehicle.

(7) A statement:

(a) 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; and

(b) That so long as the vehicle remains registered to the applicant under the provisions of ORS 803.360 (2), the owner and the vehicle will meet the qualifications of this subsection.

(8) A statement upon initial registration that the applicant is in compliance with financial responsibility requirements for the vehicle and will remain in compliance until the vehicle is transferred. Exemptions from this subsection are established in ORS 806.020. [1983 c.338 §211; 1985 c.16 §79; 1985 c.251 §18; 1985 c.305 §10; 1985 c.563 §4; 1989 c.695 §3; 1991 c.67 §215; 1991 c.523 §4; 1991 c.873 §15; 1993 c.751 §89]

**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 Department of Transportation or to the Public Utility Commission, as appropriate, 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; 1991 c.407 §25]

**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 or under ORS chapter 768.

(2) The penalty for submitting a false odometer reading in an application for 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; 1991 c.407 §26; 1993 c.751 §90]

#### (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 Department of Transportation shall collect, when issuing or renewing registration of the vehicle, the additional fee for quarterly registration established under ORS 803.420. [1983 c.338 §222; 1989 c.76 §1; 1993 c.174 §4]

**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 Department of Transportation 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 department adjusts the registration period of the vehicle upon initial registration under ORS 803.410. [1983 c.338 §223; 1989 c.76 §2]

**803.410 Department authorized to adjust periods and fees.** The Department of Transportation 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 department under this section is subject to the following:

(1) The department 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 department may initially adjust the registration periods of trailers for hire registered as part of a fleet.

(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 department, by rule, may adjust registration fees or registration periods for a vehicle, as is administratively convenient for the department, 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 department to make such adjustments. [1983 c.338 §224; 1985 c.16 §83; 1985 c.253 §3; 1987 c.750 §6; 1989 c.43 §21; 1993 c.174 §5]

**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 by the Department of Transportation 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, manufactured structures, fixed load vehicles or special use trailers.

(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 buses.

(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) Manufactured structures 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 an agreement pursuant to ORS 802.500, for a period of time determined as specified in the agreement or as determined by the department.

(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 buses.

(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; 1991 c.284 §16; 1991 c.407 §27; 1993 c.174 §6]

**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 Department of Transportation may classify the vehicle to assure that registration fees for the vehicle are the same as for vehicles the department determines to be comparable. The registration fees for the vehicle shall be those based on the classification determined by the department. 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 department 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 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 buses.

(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 buses as provided in the following chart, based upon the weight submitted in the declaration of weight prepared under ORS 768.013 or 803.435:

Weight in Pounds	Fee
8,000 or less	\$ 15
8,001 to 10,000	125
10,001 to 12,000	140

12,001 to 14,000	155
14,001 to 16,000	170
16,001 to 18,000	190
18,001 to 20,000	210
20,001 to 22,000	230
22,001 to 24,000	250
24,001 to 26,000	270
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

(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), that are certified under ORS 822.205 or that are used exclusively to transport manufactured structures, 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 initial registration, in a manner determined by the department by rule, that the motor vehicle will be used exclusively to transport manufactured structures or exclusively as described in ORS 767.022, 767.025 (15) or 822.210. Registration of a vehicle described in paragraph (a) of this subsection is invalid if the vehicle is operated in any manner other than that described in the certification under this paragraph.

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

(13) Fixed load vehicles as follows:

(a) If a declaration 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 declaration 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 ma-

terial and that are not travel trailers, manufactured structures or trailers registered under permanent registration, \$15.

(15) Trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500, the same as the fee for vehicles of the same type registered under other provisions of the Oregon Vehicle Code.

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

(a) For travel trailers or campers that are 6 to 10 feet in length, \$54.

(b) For travel trailers or campers over 10 feet in length, \$54 plus \$4.50 a foot for each foot of length over the first 10 feet.

(c) For motor homes over 10 feet in length, \$84 plus \$5 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 proportioned 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 department 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 manufactured structures 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 registration weight given in the declaration 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	35
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; 1991 c.284 §17; 1991 c.497 §13; 1991 c.880 §10; 1993 c.174 §7; 1993 c.662 §3; 1993 c.751 §23a]

**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 declaration 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 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 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 declaration of weight described under ORS 803.435 that contains a declaration of the maximum combined weight at which the vehicle will be operated on the highways of this state except when carrying loads described under subsection (1)(b) 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 re-

quired to establish a registration weight under this section:

(a) Any motor truck that will be operated on the highways at a combined weight of more than 8,000 pounds not including the weight of any camper or trailing vehicle described in subsection (5) of this section.

(b) Any truck tractor that will be operated on the highways at a combined weight of more than 8,000 pounds not including the weight of any camper or trailing vehicle described in subsection (5) of this section.

(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 weight of more than 8,000 pounds not including the weight of any camper or trailing vehicle as described in subsection (5) of this section.

(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.

(5) The weight of a camper or the following trailing vehicles shall not be included in the registration weight:

(a) Trailers with a loaded weight of 8,000 pounds or less.

(b) Special use trailers, travel trailers, manufactured structures and fixed load vehicles.

(c) Towed motor vehicles. [1983 c.338 §230; 1985 c.16 §87; 1985 c.71 §3; 1985 c.172 §6; 1989 c.723 §9; 1991 c.284 §18; 1993 c.751 §24]

**803.435 Declaration of weight for fee determination; contents.** A declaration of weight required for purposes of complying with ORS 803.440 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 declaration shall contain the registration weight.

(2) For buses, the declaration 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 declaration 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 Department of Transportation 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 declaration 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 declaration is prepared or required, the declaration 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; 1993 c.18 §168; 1993 c.751 §25]

**803.440 Failure to submit declaration of weight; penalty.** (1) A person commits the offense of failure to submit a declaration of weight if the person does not submit a declaration 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 declaration of weight, is a Class D traffic infraction. [1983 c.338 §232; 1989 c.43 §24; 1989 c.723 §11; 1993 c.751 §26]

**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 Department of Transportation 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 Department of Transportation 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 in department records.

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

(2) The department or the commission shall not be required to notify the registered owner of an approaching expiration if the department 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 department of a change of address as required by ORS 803.220.

(3) Failure to receive notice of expiration from the department 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) Department records concerning notice under this section are subject to ORS 802.210. [1983 c.338 §233; 1985 c.253 §5; 1989 c.43 §25; 1993 c.751 §91]

#### **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 or other proof of compliance with financial responsibility requirements.** The Department of Transportation shall not renew the registration of a motor vehicle unless one of the following occurs:

(1) 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 subsection 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 subsection are established in ORS 806.020. The form of certification required for this subsection shall be as required under ORS 806.180.

(2) The department receives satisfactory proof of compliance with financial responsibility requirements by some means other than the certification described in subsection (1) of this section. The department may determine by rule what constitutes satisfactory proof for purposes of this subsection. [1983 c.338 §235; 1985 c.714 §7; 1993 c.751 §92]

**803.465 Proof of compliance with pollution control equipment requirements.** The Department of Transportation shall not issue renewal of registration unless the department 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 [1983 c.338 §237; 1985 c.174 §3; repealed by 1991 c.459 §438L]

**803.473 Effect of unpaid registration fees on issuance of duplicate or replacement certificate of title.** On and after September 29, 1991, the Department of Transportation shall not refuse to renew registration, transfer the certificate of title or issue a duplicate or replacement certificate of title for a camper or travel trailer solely on the grounds that prior to September 29, 1991, the owner of the camper or travel trailer owed unpaid registration fees to the department. [1991 c.459 §438m]

**Note:** 803.473 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.

803.475 [1985 c.251 §22; 1991 c.873 §16; repealed by 1993 c.751 §106]

**(Cards)**

**803.500 Registration card; contents.** The Department of Transportation shall furnish for each vehicle and camper registered by the department, a registration card that shows all of the following information:

- (1) The name of the registered owner.
- (2) The make.
- (3) The year model.
- (4) The vehicle identification number as denoted by the title issued for the vehicle or camper.
- (5) The mileage of the vehicle as reported to the department at the time the most recent title transfer was reported to the department, or the mileage reported to the department at the time the vehicle was initially titled in Oregon, whichever occurred last.
- (6) The word "totaled" if the vehicle has been reported to the department as a totaled vehicle under the provisions of ORS 819.012 or 819.014, unless the reason for the report was theft and the vehicle has been recovered.
- (7) Any other information required by the department. [1983 c.338 §254; 1985 c.251 §25; 1985 c.253 §6; 1985 c.668 §11; 1989 c.43 §26; 1991 c.820 §10; 1991 c.873 §16a; 1993 c.233 §49; 1993 c.751 §93]

**803.505 Failure to carry registration 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 the owner does not 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; 1993 c.751 §94]

**803.510 Duplicate or replacement; fee.** The Department of Transportation may issue a duplicate or replacement registration card when:

(1) The department 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 department. [1983 c.338 §256; 1985 c.174 §4; 1985 c.253 §7a]

**(Plates)**

**803.520 Issuance; fees.** The Department of Transportation 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 department 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 department may issue a permit described under ORS 803.615 while the department is determining all facts relative to the applicant's right to receive title and may issue registration plates along with the title.

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

(4) Except as otherwise authorized by ORS 805.200, registration plates issued shall be as described in ORS 803.535.

(5) The department 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; 1993 c.233 §50; 1993 c.741 §119]

**803.525 Number of plates issued.** The Department of Transportation shall issue two registration plates for every vehicle that is registered by the department except as otherwise provided in this section. Upon renewal or when otherwise provided under ORS 803.555, the department 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 the department.

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

(3) Manufactured structures are as provided in ORS 820.500. [1983 c.338 §258; 1985 c.668 §12; 1989 c.43 §27; 1991 c.407 §28; 1993 c.741 §119a]

**803.530 Period of validity; transfer; replacement.** Registration plates assigned to a vehicle by the Department of Transportation 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 department 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 department shall refuse to transfer registration plates under this subsection if the department 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.

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

(a) To replace a plate under this subsection, the owner must apply to the department for replacement of the damaged or lost plate in a form prescribed by the department 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 department, 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.

(3) 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; 1993 c.741 §120]

**803.535 Size, form, material, color, design, contents.** Subject to ORS 805.205 and the following, the Department of Transportation shall select registration plates it issues:

(1) Registration plates shall be in the size, form and arrangement and made of materials determined by the department subject to the following:

(a) Except as otherwise provided in paragraph (f) of this subsection, the design of the registration plates shall be that chosen by the commission from entries in the contest held pursuant to chapter 572, Oregon Laws 1987.

(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) Except as otherwise authorized under ORS 805.200, all plates shall contain the distinctive number or characters assigned to the vehicle and the word "Oregon."

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

(f) The department may choose plates for vehicles that are not required to display plates from the series produced as provided in chapter 572, Oregon Laws 1987. Nothing in this paragraph prohibits the department from issuing plates from the series produced as provided in chapter 572, Oregon Laws 1987, for vehicles that are not required to display such plates.

(2) The department 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 department determines appropriate.

(3) The department 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; 1993 c.741 §121]

803.537 [1987 c.572 §5; 1989 c.742 §5; repealed by 1993 c.741 §147]

**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]

**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 Replacement.** 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 section, the owner must apply to the Department of Transportation for a replacement of the damaged or lost sticker in a form prescribed by the department 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 section 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; 1993 c.741 §122]

**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 provides proof of valid registration and:

(a) The stickers are not displayed in a manner required by the Department of Transportation; 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; 1993 c.751 §27]

#### (Fees)

**803.570 Plate manufacturing fee.** Except as otherwise specifically provided by law, the Department of Transportation shall collect the fee described by this section each time the department issues a registration plate upon the registration of a vehicle or at other times when a registration plate is issued by the department. 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 department and shall be established by the department by rule.

(3) The department 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 estab-

lished under this section, the department 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 replacement or duplicate registration plate under ORS 803.530 is the fee established under ORS 803.570, together with a fee of \$11.

(3) The fee for transfer of registration plate under ORS 803.530 or 803.590 is \$6.

(4) The fee for issuance of replacement registration stickers under ORS 803.555, is \$11.

(5) 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.

(6) The fee paid under subsections (2), (4) and (5) 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; 1993 c.751 §95]

**803.577 Fee for identification device for proportionally registered vehicle.** Except as otherwise specifically provided by law, the Department of Transportation shall collect the fee described by this section each time the department issues an identification device for the proportional registration of a vehicle. The following 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 device issued shall be determined by the department and shall be established by the department by rule.

(3) The department shall establish the fees under this section based on cost. [1991 c.284 §26]

**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 under the vehicle code are in lieu of all other taxes and licenses, except municipal license fees under regulatory ordinances, to which such vehicles or the owners thereof may be subject. Fixed load vehicles are not exempt from ad valorem taxation by this section.

(2) 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. [1983 c.338. §221; 1989 c.864 §8; 1991 c.459 §438h]

(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 Department of Transportation a registration transfer fee established under ORS 803.575, file a statement indicating the withdrawal or destruction with the department and surrender any registration card issued for the vehicle. If the weight in the declaration 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 buses.

(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. Any registration card and registration plates issued for the vehicle must be surrendered to the department 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 manufactured structure, 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; 1993 c.751 §96]

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 Department of Transportation 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 department 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 weight of more than 8,000 pounds or that is a fixed load motor 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 a trailer 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 is 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, manufactured structures or special use trailers.

(c) A light vehicle trip permit may be issued for a vehicle with a combined weight of less than 8,001 pounds that is not a fixed load vehicle and that is not registered 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 light vehicle trip permit for more than 120 days in any 12-month period for any given vehicle. A person who applies for a light vehicle trip 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 weight than is per-

mitted by the registration weight established for the vehicle or at a greater combined 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 registration 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 department 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 manufactured structure trip permit may be issued to allow movement of a manufactured structure. Except movements of manufactured structures by vehicle transporters permitted under ORS 822.310, all movements of manufactured structures 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 manufactured structures in addition to the requirements under this section. A permit issued under this paragraph is valid during the movement of the manufactured structure 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) Requirements for the department to maintain records concerning 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 department shall make the trip permits available to all field offices and agents maintained by the department 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 department may also sell heavy motor vehicle, heavy trailer and registration

weight 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 department shall adopt rules for the issuance, sale and control of all trip permits except those issued by the Public Utility Commission.

(7) Trip permits are not required for the operation of unregistered vehicles other than manufactured structures 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. Manufactured structures 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.

(11) The Public Utility Commission may issue heavy motor vehicle trip permits and registration weight trip permits. [1983 c.338 §272; 1985 c.16 §111; 1985 c.313 §4; 1985 c.547 §16; 1989 c.723 §13; 1991 c.284 §19; 1991 c.360 §4; 1991 c.407 §29; 1993 c.174 §9]

**803.602 Statement of insurance coverage for light vehicle trip permit.** An applicant for a light vehicle trip permit for a motor vehicle must submit, at the time of application, a statement indicating that the vehicle that will be operated under the permit is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered by the policy for as long as the permit is valid. The statement shall include the name of the insurer and the policy number. The Department of Transportation shall refuse to issue a permit to a person who does not submit the statement required by this section. [1991 c.360 §2; 1993 c.751 §28]

**Note:** 803.602 was added to and made a part of ORS chapter 803 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

**803.605 Erroneous issuance of trip permit; refund of fee.** When the Department of Transportation determines that it has erroneously issued a trip permit to a person who did not require the permit, the department 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 Department of Transportation 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 Department of Transportation may issue a temporary permit in a form determined by the department to an applicant for registration to permit the applicant to operate the vehicle while the department is determining all facts relative to the right of the applicant to receive title, regular registration plates and regular registration. [1983 c.338 §276; 1985 c.16 §112; 1985 c.401 §10; 1987 c.146 §9; 1993 c.233 §52]

**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 Department of Transportation 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 department.

(2) Forms for temporary permits issued under this section shall be furnished and, subject to ORS 803.640, prescribed by the department.

(3) The department 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 department 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 Department of Transportation 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 Department of Transportation 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 or 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 address of the registered owner of the vehicle or of the person who has applied for registration or titling of the vehicle.

(2) The Department of Transportation 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 department 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 department may require that the person operating the vehicle have in the person's possession any information the department determines is necessary for identification. Such information, if required, shall be on a form prescribed by rule by the department

and may not be required to be displayed so as to be visible from outside the vehicle. [1985 c.284 §2; 1993 c.751 §97]

**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 light 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 manufactured structure 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; 1991 c.284 §20; 1991 c.360 §3]

**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 Department of Transportation 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 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 Department of Transportation 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 boat 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]

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## CHAPTER 804

[Reserved for expansion]