

House Bill 3116

Sponsored by Representative HUNT; Representatives BOONE, BRUUN, THATCHER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Creates special registration plate recognizing children. Imposes \$10 surcharge for registration plate. Directs moneys from surcharge on registration plate be transferred to State School Fund.

Appropriates to Department of Transportation funds for purpose of initiating children registration plate program.

Authorizes department to offer four special registration plates at one time.

A BILL FOR AN ACT

1
2 Relating to special registration plates; creating new provisions; amending ORS 805.202; and appro-
3 priating money.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Sections 2 and 3 of this 2005 Act are added to and made a part of the Oregon**
6 **Vehicle Code.**

7 **SECTION 2. (1) The Department of Transportation shall establish a children registration**
8 **plate program to issue special registration plates called "children registration plates" upon**
9 **request to owners of motor vehicles registered under the provisions of ORS 803.420 (1) to**
10 **recognize the importance of children to the future of Oregon. In addition, the department**
11 **may adopt rules for issuance of children registration plates for vehicles not registered under**
12 **the provisions of ORS 803.420 (1).**

13 **(2) In addition to any other fee authorized by law, for each children registration plate**
14 **issued under subsection (1) of this section, the department shall collect a surcharge of \$10**
15 **for each year of the registration period, payable when the plate is issued and upon each**
16 **subsequent renewal of registration of a vehicle bearing the plate. The department shall dis-**
17 **tribute the surcharge as provided in section 3 of this 2005 Act.**

18 **(3) Notwithstanding ORS 803.530, children registration plates may be transferred from**
19 **vehicle to vehicle if the department stops issuing the plates, as long as the plates are not**
20 **so old, damaged, mutilated or otherwise rendered illegible as to be not useful for purposes**
21 **of identification.**

22 **SECTION 3. (1) After deduction of the cost of administration of the children registration**
23 **plate program, the Department of Transportation shall transfer moneys from the surcharge**
24 **imposed by section 2 of this 2005 Act to the State School Fund. Moneys transferred under**
25 **this subsection are continuously appropriated for the purposes for which State School Fund**
26 **moneys may be used.**

27 **(2) As used in this section, "the cost of administration of the children registration plate**
28 **program" is the sum of all department expenses for the issuance or transfer of children**
29 **registration plates under section 2 of this 2005 Act that are above the normal costs of issu-**
30 **ing, renewing and transferring registration plates in the normal course of the business of the**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 department. These expenses include, but are not limited to, the costs of collecting the chil-
 2 dren registration plate surcharge and transferring children registration plates.

3 **SECTION 4.** (1) The Department of Transportation shall design the children registration
 4 plate established in section 2 of this 2005 Act.

5 (2) Except as otherwise required by the design chosen, children registration plates shall
 6 comply with the requirements of ORS 803.535.

7 **SECTION 5.** (1) There is appropriated to the Department of Transportation out of the
 8 General Fund, for the biennium beginning July 1, 2005, the amount of \$_____ for the pur-
 9 pose of initiating the children registration plate program established in section 2 of this 2005
 10 Act, including but not limited to the children registration plate design, computer program-
 11 ming and children registration plate production setup. Any portion of the appropriation not
 12 used for initiating the children registration plate program shall be transferred to the account
 13 established under subsection (2) of this section.

14 (2) Notwithstanding section 3 of this 2005 Act, after deduction of the cost of adminis-
 15 tration of the children registration plate program, the department shall transfer the moneys
 16 from the surcharge imposed by section 2 of this 2005 Act to an account in the General Fund
 17 until sufficient funds have accumulated for the purpose of subsection (3) of this section.

18 (3) When the department determines that moneys in sufficient amount are available in
 19 the account established under subsection (2) of this section, but no later than June 30, 2007,
 20 the department shall reimburse the General Fund, without interest, in an amount equal to
 21 the amount appropriated from the General Fund under subsection (1) of this section. The
 22 moneys used to reimburse the General Fund under this subsection may not be considered a
 23 budget item on which a limitation is otherwise fixed by law, but shall be in addition to any
 24 specific biennial appropriation or amount authorized to be expended from continuously ap-
 25 propriated moneys for any biennial period.

26 (4) Any moneys remaining in the account established under subsection (2) of this section
 27 after the reimbursement required under subsection (3) of this section shall be transferred
 28 to the State School Fund as provided in section 3 of this 2005 Act.

29 **SECTION 6.** ORS 805.202 is amended to read:

30 805.202. (1) As used in this section, "special registration plate" means a registration plate issued
 31 by the Department of Transportation:

32 (a) For which a surcharge is imposed in order to raise money for an entity other than the de-
 33 partment;

34 (b) That is not a group plate issued under ORS 805.205;

35 (c) That is not an elected official plate issued under ORS 805.220; and

36 (d) That is not a customized plate issued under ORS 805.240.

37 (2) The Legislative Assembly may not require the Department of Transportation to offer more
 38 than [three] **four** kinds of special registration plates at any one time. At any time the department
 39 is offering [three] **four** kinds of special registration plates, any bill enacted by the Legislative As-
 40 sembly that requires the department to issue a new kind of special registration plate shall include
 41 a provision requiring the department to eliminate at least one kind of special registration plate.

42 (3) When the department eliminates a kind of special registration plate in accordance with the
 43 provisions of a law described in subsection (2) of this section, the department shall continue to issue
 44 the plate until the new plate is available. When the new plate is available, the department shall
 45 destroy the remaining stock of the eliminated plate.

