

Senate Bill 74

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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**.

Allows Department of Transportation to determine by rule when to issue replacement driver license, permit or identification card with different distinguishing number from license, permit or card being replaced.

A BILL FOR AN ACT

1
2 Relating to replacement of documents issued by Department of Transportation; amending ORS
3 807.160 and 807.400.

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

5 **SECTION 1.** ORS 807.160 is amended to read:

6 807.160. (1) Except as provided in subsection [(5)] (4) of this section, upon application by a per-
7 son to whom a license is issued, the Department of Transportation shall do the following:

8 (a) If the person furnishes proof satisfactory to the department of the loss, destruction or
9 mutilation of the person's license, the department shall replace the license by issuing a duplicate
10 or replacement license.

11 (b) If the person has changed residence address from that noted on the person's license, the
12 department shall:

13 (A) Note the change of residence address on the person's license in a manner determined by the
14 department; or

15 (B) Issue a new license noting the person's new residence address.

16 (c) If the person is an officer or eligible employee who has requested in accordance with ORS
17 802.250 that department records show the address of the person's employer, the department shall
18 issue a new license noting the address of the place of employment.

19 (d) If the person has changed names from the name noted on the person's license, the department
20 shall issue a new license noting the person's new name.

21 **(e) If the person furnishes proof satisfactory to the department that the person needs a**
22 **replacement license that bears a different distinguishing number from the license being re-**
23 **placed for a reason identified by the department by rule, the department shall issue a re-**
24 **placement license with a different distinguishing number from the license being replaced.**

25 (2) If the department issues a new license or a replacement license to replace a person's license
26 under this section:

27 (a) Except as otherwise provided in subsection [(3)] (1)(e) of this section, the license shall bear
28 the same distinguishing number as the license replaced.

29 (b) The license replaced is invalid and shall be surrendered to the department or destroyed.

30 (c) The department shall charge the fee for issuance of a replacement license under ORS 807.370.

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 The department may waive the fee as provided under ORS 807.390.

2 (d) The new license does not alter or extend driving privileges granted to the person under the
3 old license.

4 *[(3) If the person applying for a new or replacement license furnishes proof satisfactory to the de-
5 partment that a police agency has reason to believe that the person's lost driver license or the person's
6 name is being used fraudulently, the department may issue a new license that bears a different number
7 from the license replaced.]*

8 *[(4)]* (3) The department shall not issue or replace any license under this section if:

9 (a) The person making application is not qualified to hold a license at the time of application.

10 (b) The driving privileges of the person making application are suspended or revoked and have
11 not been partially or completely reinstated.

12 *[(5)]* (4) The department need not issue a duplicate or replacement license to a person who has
13 not complied with the requirements and responsibilities created by citation for or conviction of a
14 traffic offense in another jurisdiction if an agreement under ORS 802.530 authorizes the department
15 to withhold issuance of a duplicate or replacement license.

16 **SECTION 2.** ORS 807.400 is amended to read:

17 807.400. (1) The Department of Transportation shall issue an identification card to any person
18 who:

19 (a) Is domiciled in or resident of this state, as described in ORS 807.062;

20 (b) Does not have a current, valid driver license; and

21 (c) Furnishes such evidence of the person's age and identity as the department may require.

22 (2) The department shall work with other agencies and organizations to attempt to improve the
23 issuance system for identification cards.

24 (3) Every original application for an identification card must be signed by the applicant. The
25 department shall require at least one document to verify the address of an applicant for issuance
26 of an identification card in addition to other documents the department may require of the applicant.
27 If the address of an applicant has changed since the last time an identification card was issued to
28 or renewed for the applicant, the department shall require proof to verify the address of an applicant
29 for renewal of an identification card, in addition to anything else the department may require.

30 (4) Every identification card shall be issued upon the standard license form described under ORS
31 807.110 and shall bear a statement to the effect that the identification card is not a license or any
32 other grant of driving privileges to operate a motor vehicle and is to be used for identification
33 purposes only. The department shall use the same security procedures, processes, materials and
34 features for an identification card as are required for a license under ORS 807.110.

35 (5) Upon order of the juvenile court, the department shall include on the card the fact that the
36 person issued the identification card is an emancipated minor.

37 (6) Each original identification card shall expire on a date consistent with the expiration dates
38 of licenses as set forth in ORS 807.130.

39 (7) Identification cards shall be renewed under the terms for renewal of licenses as set forth in
40 ORS 807.150.

41 (8) The fee for an original identification card or a renewal thereof shall be the fee established
42 under ORS 807.410. In no event shall the issuance or renewal of an identification card be subject
43 to any fee in addition to that set forth in ORS 807.410.

44 (9) An identification card becomes invalid if the holder of the card changes residence address
45 from that shown on the identification card and does not provide the department with notice of the

1 change as required under ORS 807.420.

2 (10) If a person to whom an identification card was issued and who changes residence address
3 appears in person at a department office that issues identification cards, the department may do any
4 of the following:

5 (a) Issue a new identification card containing the new address [*but bearing the same distin-*
6 *guishing number as the old identification card*] upon receipt of the old identification card and pay-
7 ment of the fee established for issuing a new identification card with a changed address under ORS
8 807.410. **Except as otherwise provided in subsection (13) of this section, the new identification**
9 **card shall bear the same distinguishing number as the card being replaced.**

10 (b) Note the new address on the old identification card in a manner to be determined by the
11 department.

12 (11) An identification card becomes invalid if the holder of the card changes the person's name
13 from that shown on the card, including a change of name by marriage, without providing the de-
14 partment with notice of the change as required under ORS 807.420. Upon receiving such notice and
15 the old identification card, the department shall issue a new identification card upon payment of the
16 fee required under ORS 807.410.

17 (12) In the event an identification card is lost, destroyed or mutilated, the person to whom it
18 was issued may obtain a duplicate or replacement identification card from the department upon
19 furnishing proof satisfactory to the department of such fact and payment of the duplicate or re-
20 placement fee under ORS 807.410.

21 **(13) In the event a person needs a replacement identification card that bears a different**
22 **distinguishing number from the card being replaced for a reason identified by the department**
23 **by rule, the person to whom the card was issued may obtain a replacement card from the**
24 **department upon furnishing proof satisfactory to the department of the need for such re-**
25 **placement and payment of the replacement fee under ORS 807.410.**

26 [(13)] (14) Upon cancellation of an identification card, the card is terminated and must be sur-
27 rendered to the department. An identification card may be canceled for any of the reasons that
28 driving privileges or a license may be canceled under ORS 809.310. The department may reissue
29 an identification card canceled under this subsection when the applicant has satisfied all require-
30 ments for the identification card.

31 [(14)] (15) Notwithstanding any other provision of this section, the department may issue an
32 identification card to a person under this subsection without charge when the person surrenders a
33 license or driver permit to the department for reasons described in this subsection. If the department
34 issues an identification card under this subsection, the identification card shall expire at the same
35 time as the surrendered driver license or driver permit would have expired. An identification card
36 issued under this subsection is subject to the same requirements and fees for renewal or upon ex-
37 piration as any other identification card issued under this section. The department may issue iden-
38 tification cards under this subsection as described under any of the following:

39 (a) The department may issue an identification card under this subsection to a person who vol-
40 untarily surrenders a license or driver permit to the department based upon the person's recognition
41 that the person is no longer competent to drive.

42 (b) The department may issue an identification card to a person under this subsection when the
43 person's driving privileges are suspended under ORS 809.419 (1). This paragraph only applies if the
44 person voluntarily surrenders the person's license or driver permit to the department as provided
45 under ORS 809.500.

