

Enrolled Senate Bill 76

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CHAPTER

AN ACT

Relating to driving privileges of persons under 18 years of age; amending ORS 807.060 and 809.320.

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

SECTION 1. ORS 807.060 is amended to read:

807.060. The Department of Transportation *[shall]* **may** not grant driving privileges to a person under a license if the person is not eligible under this section. The following are not eligible for a license:

- (1) A person under 16 years of age.
- (2)(a) A person under 18 years of age who is not an emancipated minor unless the application of the person is signed by the person's mother, father or **legal** guardian *[or, if the person has no father, mother or guardian, by the person's employer]*. A person who signs an application under this paragraph may have the driving privileges canceled as provided under ORS 809.320.
- (b) A person under 18 years of age who does not meet the requirements of ORS 807.065.
- (3) Notwithstanding subsection (2) of this section, a person under 18 years of age is not eligible for a commercial driver license.
- (4) A person that the department determines has a problem condition involving alcohol, inhalants or controlled substances as described under ORS 813.040.
- (5) A person the department reasonably believes is subject to any condition which brings about momentary or prolonged lapses of consciousness or control that is or may become chronic.
- (6) A person the department reasonably believes has a physical or mental disability or disease serving to prevent the person from exercising reasonable and ordinary control over a motor vehicle while operating it upon the highways.
- (7) A person the department reasonably believes is unable to understand highway signs that warn, regulate or direct traffic.
- (8) A person who is required to make future responsibility filings but has not made filings as required.
- (9) A person who cannot be issued a license under the Driver License Compact under ORS 802.540.
- (10) A person who is not subject to the Driver License Compact under ORS 802.540 but whose driving privileges are currently under suspension or revocation in any other state upon grounds which, if committed in this state, would be grounds for the suspension or revocation of the driving privileges of the person.

(11) A person who has been declared a habitual offender under ORS 809.640. A person declared not eligible to be licensed under this subsection may become eligible by having eligibility restored under ORS 809.640.

(12) A person whose driving privileges are canceled in this state under ORS 809.310 until the person is eligible under ORS 809.310.

(13) A person while the person's driving privileges are revoked in this state.

(14) A person during a period when the person's driving privileges are suspended in this state.

(15) A person who holds a current out-of-state license or driver permit or a valid Oregon license or driver permit. A person who is not eligible under this subsection may become eligible by surrendering the license, driver permit or out-of-state license or driver permit to the department before issuance of the license. Nothing in this subsection authorizes a person to continue to operate a motor vehicle on the basis of an out-of-state license or permit if the person is required by ORS 807.062 to obtain an Oregon license or permit.

(16) A person who has not complied with the requirements and responsibilities created by citation for or conviction of a traffic offense in another jurisdiction if an agreement under ORS 802.530 authorizes the department to withhold issuance of a license.

SECTION 2. ORS 809.320 is amended to read:

809.320. (1) If an applicant for driving privileges must have a parent[,] **or legal** guardian [*or employer*] sign the application before the person qualifies under ORS 807.060, that parent[,] **or legal** guardian [*or employer*] who has signed the application may thereafter file with the Department of Transportation a written request that the driving privileges of the person so granted be canceled.

(2) The department shall cancel the driving privileges of a person upon written request under this section if the person is under 18 years of age.

Passed by Senate March 31, 2005

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Secretary of Senate

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President of Senate

Passed by House May 24, 2005

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Speaker of House

Received by Governor:

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Approved:

.....M,....., 2005

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Governor

Filed in Office of Secretary of State:

.....M,....., 2005

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Secretary of State