Enrolled
Senate Bill 78

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CHAPTER .....

AN ACT

Relating to accident reports; amending ORS 802.040 and 811.725; and repealing ORS 810.470.

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

SECTION 1. ORS 811.725 is amended to read:

811.725. (1) The driver of a vehicle commits the offense of driver failure to report an accident if the driver does any of the following:

(a) Is driving any vehicle that is involved in an accident required to be reported under ORS 811.720 and does not, within 72 hours of the accident, complete a report of the accident in a form approved by the Department of Transportation and [*forward*] **submit** the report to **the department.** [*one of the following:*]

[*(A) The department.*]

[*(B) The sheriff of the county in which the accident occurs.*]

[*(C) The chief of police of the city in which the accident occurs.*]

[*(D) Any other agency the department establishes for the purpose of receiving accident reports.*]

(b) Is driving a vehicle that is involved in an accident and does not submit to the department any report required by the department that is other than or in addition to the reports required by this section. The department may request a supplemental report if in the opinion of the department the original report is insufficient.

(c) Is driving any vehicle that is involved in an accident required to be reported under ORS 811.720 and does not, within 72 hours of the accident, certify to the department, in a form furnished by the department, that at the time of the accident the person was in compliance with the financial responsibility requirements.

(2) The certification of compliance with financial responsibility required under this section is subject to the prohibitions and penalties for false certification under ORS 806.050.

(3) The reports described under this section are subject to the provisions of ORS 802.220 and 802.240 relating to the use of such reports after submission. Exemptions from requirements to certify compliance with financial responsibility are established under ORS 806.020.

(4) A driver may be required to file additional accident reports with a city as provided under ORS 801.040.

(5) The offense described in this section, driver failure to report an accident, is a Class B traffic violation.

SECTION 2. ORS 802.040 is amended to read:

802.040. (1) The Department of Transportation shall specify the minimum contents of a report about, and the means for reporting, accidents that are required to be reported under ORS 810.460, 811.725, 811.730 and 811.735. The department shall consult with the state police and city and county law enforcement officials before approving means for accident reports required under ORS 810.460. Any means of reporting specified under this subsection shall require sufficiently detailed information to disclose, with reference to a traffic accident, the cause, conditions then existing and the persons and vehicles involved. Upon request, if the department adopts forms as one means of reporting accidents, the department shall [*supply the forms to*] **make the forms available through** police departments, [*sheriffs*] **sheriffs' offices** and other suitable agencies or individuals.

(2) The department shall assure that any means specified under subsection (1) of this section for use in accident reports required under ORS 811.725, 811.730 and 811.735 include a way of making owners aware of the definition of a totaled vehicle and of the owner's duty under ORS 819.012.

(3) The department shall prescribe and provide suitable forms for the administration and enforcement of the financial responsibility requirements under the vehicle code or shall prescribe any other means of accomplishing the same end that the department finds convenient.

SECTION 3. ORS 810.470 is repealed.

Passed by Senate February 24, 2005

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Secretary of Senate

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President of Senate

Passed by House May 25, 2005

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Speaker of House

Received by Governor:

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

Approved:

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

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Governor

Filed in Office of Secretary of State:

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

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Secretary of State