

HOUSE AMENDMENTS TO RESOLVE CONFLICTS TO A-ENGROSSED SENATE BILL 373

By COMMITTEE ON TRANSPORTATION

June 1

1 On page 3 of the printed A-engrossed bill, after line 23, insert:

2 **“SECTION 1a. If House Bill 2261 becomes law, section 1 of this 2005 Act (amending ORS**
3 **802.250) is repealed and ORS 802.250, as amended by section 513, chapter 22, Oregon Laws 2005**
4 **(Enrolled House Bill 2261), is amended to read:**

5 “802.250. (1) [A *police officer or*] An eligible public employee may request that any driver or
6 vehicle record kept by the Department of Transportation that contains or is required to contain the
7 [*officer’s or*] eligible employee’s residence address contain instead the address of the public agency
8 employing the [*officer or*] eligible employee. A request under this section shall:

9 “(a) Be in a form specified by the department that provides for verification of the [*officer’s or*]
10 eligible employee’s employment.

11 “(b) Contain verification by the employing public agency of the [*officer’s or*] eligible employee’s
12 employment with the public agency.

13 “(2) Upon receipt of a request and verification under subsection (1) [*or (6)*] of this section, the
14 department shall remove the [*police officer, corrections officer or*] eligible employee’s residence ad-
15 dress from its records, if necessary, and substitute therefor the address of the public agency em-
16 ploying the [*officer or*] eligible employee. The department shall indicate on the records that the
17 address shown is an employment address. While the request is in effect, the eligible employee [*or*
18 *officer*] may enter the address of the public agency employing the [*officer or*] eligible employee on
19 any driver or vehicle form issued by the department that requires an address.

20 “(3) A public agency that verifies an [*officer’s or*] eligible employee’s employment under sub-
21 section (1) of this section shall notify the department within 30 days if the [*officer or*] eligible em-
22 ployee ceases to be employed by the public agency. The [*officer or*] eligible employee shall notify
23 the department of a change of address as provided in ORS 803.220 or 807.560.

24 “(4) As used in this section, ‘eligible employee’ means:

25 “(a) A member of the State Board of Parole and Post-Prison Supervision.

26 “(b) The Director of the Department of Corrections and an employee of an institution defined
27 in ORS 421.005 as Department of Corrections institutions, whose duties, as assigned by the super-
28 intendent, include the custody of persons committed to the custody of or transferred to the institu-
29 tion.

30 “(c) A parole and probation officer employed by the Department of Corrections and an employee
31 of the Department of Corrections Release Center whose duties, as assigned by the Chief of the Re-
32 lease Center, include the custody of persons committed to the custody of or transferred to the Re-
33 lease Center.

34 “(d) A police officer appointed under ORS 276.021 or 276.023.

35 “(e) An employee of the State Department of Agriculture who is classified as a brand inspector

1 by the Director of Agriculture.

2 “(f) An investigator of the Criminal Justice Division of the Department of Justice.

3 “(g) A corrections officer as defined in ORS 181.610.

4 “(h) A federal officer. As used in this paragraph, ‘federal officer’ means a special agent or law
5 enforcement officer employed by:

6 “(A) The Federal Bureau of Investigation;

7 “(B) The United States Secret Service;

8 “(C) The United States Citizenship and Immigration Services;

9 “(D) The United States Marshals Service;

10 “(E) The Drug Enforcement Administration;

11 “(F) The United States Postal Service;

12 “(G) The United States Customs and Border Protection;

13 “(H) The United States General Services Administration;

14 “(I) The United States Department of Agriculture;

15 “(J) The Bureau of Alcohol, Tobacco and Firearms;

16 “(K) The Internal Revenue Service;

17 “(L) The United States Department of the Interior; or

18 “(M) Any federal agency if the person is empowered to effect an arrest with or without warrant
19 for violations of the United States Code and is authorized to carry firearms in the performance of
20 duty.

21 “(i) An employee of the Department of Human Services whose duties include personal contact
22 with clients or patients of the department.

23 “(j) Any judge of a court of this state.

24 “(k) An employee of the Oregon Youth Authority whose duties include personal contact with
25 persons committed to the legal or physical custody of the authority.

26 “(L) A district attorney, **as defined in ORS 131.005**, or deputy district attorney.

27 “**(m) An employee who provides educational services to persons who are clients or pa-**
28 **tients of the Department of Human Services, who are under the jurisdiction of the Psychi-**
29 **atric Security Review Board or who are under the custody or supervision of the Department**
30 **of Corrections, the State Board of Parole and Post-Prison Supervision, a community cor-**
31 **rections agency, the Oregon Youth Authority or a juvenile department. As used in this par-**
32 **agraph, ‘employee who provides educational services’ means a person who provides**
33 **instruction, or services related to the instruction, of a subject usually taught in an elemen-**
34 **tary school, a secondary school or a community college or who provides special education**
35 **and related services in other than a school setting and who works for:**

36 “**(A) An education service district or a community college district; or**

37 “**(B) A state officer, board, commission, bureau, department or division in the executive**
38 **branch of state government that provides educational services.**

39 “**(n) An employee of the Oregon Liquor Control Commission who is:**

40 “**(A) An inspector;**

41 “**(B) An investigator; or**

42 “**(C) A regulatory manager.**

43 “[*(5) As used in subsections (6) and (7) of this section:*]

44 “[*(a) ‘Correctional facility’ means an institution used for the confinement of persons convicted of*
45 *a criminal offense or held by court order.*]

1 “(b) ‘Corrections officer’ means a person employed in a correctional facility, wherever it may be
2 located, who primarily performs the duty of custody, control or supervision of individuals convicted of
3 a criminal offense.]

4 “[(6) A corrections officer, who is a resident of Oregon but is employed in a correctional facility
5 located in a state other than Oregon, may request that any driver or vehicle record kept by the de-
6 partment that contains or is required to contain the officer’s residence address contain instead the ad-
7 dress of the correctional facility employing the officer. A request under this subsection shall:]

8 “[(a) Be in a form specified by the department that includes designation of the Oregon county of
9 residence.]

10 “[(b) Contain verification of employment as determined adequate by the department to establish el-
11 igibility for this service.]

12 “[(7) If the officer qualifying under subsection (6) of this section ceases to be employed in the
13 correctional facility, the officer shall notify the department of a change of address as provided in ORS
14 803.220 or 807.560.]”.

15 On page 7, after line 2, insert:

16 “**SECTION 8a. If House Bill 2106 becomes law, section 8 of this 2005 Act (amending ORS**
17 **807.160) is repealed and ORS 807.160, as amended by section 1, chapter 59, Oregon Laws 2005**
18 **(Enrolled House Bill 2106), is amended to read:**

19 “807.160. (1) The Department of Transportation shall establish by rule the reasons for issuing
20 a replacement driver license or driver permit to a person who submits an application for the re-
21 placement. The reasons for replacement shall include, but are not limited to, situations when the
22 person:

23 “(a) Furnishes proof satisfactory to the department of the loss, destruction or mutilation of the
24 person’s driver license or driver permit.

25 “(b) Changes residence address from the address noted on the person’s driver license or driver
26 permit.

27 “(c) Is [an officer or] a corrections officer or an eligible employee who has requested, in ac-
28 cordance with **section 3 of this 2005 Act or** ORS 802.250, that department records show the address
29 of the person’s employer.

30 “(d) Changes names from the name noted on the person’s driver license or driver permit.

31 “(e) Is applying or is required to add or remove a restriction on the driver license or driver
32 permit.

33 “(f) Is applying or is required to add or remove an endorsement other than a motorcycle
34 endorsement on the driver license or driver permit.

35 “(g) Furnishes proof satisfactory to the department or the department determines that the de-
36 partment made an error when issuing a driver license or driver permit.

37 “(2) Notwithstanding subsection (1)(b) of this section, in lieu of issuing a replacement driver li-
38 cense or driver permit upon a change in residence address of a person, the department may note the
39 change of residence address on the person’s license or permit in a manner determined by the de-
40 partment.

41 “(3) A replacement driver license or driver permit issued under this section:

42 “(a) Shall bear the same distinguishing number as the driver license or driver permit replaced
43 unless the person applying for the replacement furnishes proof satisfactory to the department that
44 a police agency has reason to believe that the person’s lost driver license or driver permit or the
45 person’s name is being used fraudulently.

1 “(b) Does not alter or extend the driving privileges granted to the person under the old license
2 or permit unless the replacement license or permit was issued for the purpose of changing a re-
3 striction or endorsement or for correcting an error involving driving privileges.

4 “(4) Except for driver permits for which the department does not charge an issuance fee, the
5 department shall charge the fee under ORS 807.370 for a replacement license or driver permit issued
6 under this section. The replacement fee is in addition to any endorsement or test fee that may apply.
7 The department may waive the replacement fee as provided under ORS 807.390.

8 “(5) The driver license or driver permit replaced under this section is invalid and shall be sur-
9 rendered to the department.

10 “(6) The department may not issue a replacement driver license or driver permit under this
11 section if:

12 “(a) The person making application is not qualified to hold a license or permit at the time of
13 application.

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

16 “(7) The department need not issue a replacement driver license or driver permit to a person
17 who has not complied with the requirements and responsibilities created by citation for or con-
18 viction of a traffic offense in another jurisdiction if an agreement under ORS 802.530 authorizes the
19 department to withhold issuance of a replacement license or permit.”.

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