Chapter 805

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PARTICULAR VEHICLES

805.010 Antique vehicles; limitations on use. (1) A vehicle that is an antique vehicle may be registered for a permanent registration period as described under ORS 803.400 by doing the following:

(a) Making application for permanent registration of the vehicle in the manner provided for application for registration of vehicles.

(b) Paying the fee for permanent registration of antique vehicles under ORS 803.420.

(2) Once a vehicle is permanently registered as an antique vehicle under this section, the vehicle is subject to the limitations on use of the vehicle under ORS 805.030. [1983 c.338 §238; 2003 c.122 §3]

805.020 Special interest vehicles; limitations on use. (1) A vehicle that is a vehicle of special interest may be registered for a permanent registration period as described under ORS 803.400 by doing the following:

(a) Making application for permanent registration of the vehicle in the manner provided for application for registration of vehicles.

(b) Paying the fee for permanent registration of vehicles of special interest established under ORS 803.420.

(2) Once a vehicle is permanently registered as a vehicle of special interest under this section, the vehicle is subject to the limitations on use of the vehicle under ORS 805.030. [1983 c.338 §239; 2003 c.122 §4]

805.030 Violation of registration limits on antique or special interest vehicle; penalty. (1) A person commits the offense of violation of registration limits on antique vehicle or vehicle of special interest if a vehicle is permanently registered under ORS 805.010 or 805.020 and the person uses the vehicle:

(a) Other than for exhibitions, parades, club activities and similar uses; or

(b) Primarily for the transportation of persons or property.

(2) The offense described in this section, violation of registration limits on antique vehicle or vehicle of special interest, is a Class D traffic violation. [1983 c.338 §240]

Note: Section 3, chapter 25, Oregon Laws 2001, provides:

Sec. 3. If a person has registered an antique vehicle or a vehicle of special interest prior to the effective date of this 2001 Act [January 1, 2002] and has received two registration plates, the person may display either one plate or both plates, but if the person displays only one plate, that plate must be displayed on the rear of the vehicle. [2001 c.25 §3]

805.040 Registration of government-owned vehicles. Except as otherwise provided by this section, ORS 805.045 and 805.060, vehicles that are owned and operated by this state, cities, counties or other political subdivisions of this state or by the government of a federally recognized Indian tribe in this state are subject to the same requirements and provisions for registration as are other vehicles. For purposes of this section, a vehicle that is operated under a lease or lease-purchase agreement by any of the governments specified in this section is a government-owned vehicle. The following requirements and provisions apply to government-owned vehicles:

(1) The registration period for vehicles subject to this section shall be an ownership registration period as described under ORS 803.400 except that the registration shall continue to be valid if ownership of the vehicle is transferred to another government agency.

(2) The fee for registration of the vehicles shall be the fee for registration of government-owned vehicles established under ORS 803.420, and no other registration fee shall be required.

(3) Any vehicle registered under this section and not exempted under ORS 815.300 must meet the requirements for certification of compliance with pollution control under ORS 815.310.

(4) Vehicles described in this section that are school buses or activity vehicles may be registered as provided in ORS 805.050 in lieu of registration under this section, if the vehicles qualify for registration under ORS 805.050.

(5) For purposes of this section, vehicles owned by the government of a federally recognized Indian tribe in this state are government-owned vehicles. [1983 c.338 §243; 1985 c.16 §91; 1985 c.148 §1; 1985 c.547 §14; 1987 c.440 §5; 1993 c.741 §123]

805.045 Regular registration for certain government-owned vehicles. (1) The Department of Transportation may issue registration plates or other evidence of registration from any regular series rather than from any specially designed government series for a vehicle owned or operated by any state department or institution if approval is granted under ORS 283.390. The registration period for a vehicle described under this section shall be the same as the regular registration period for the type of vehicle registered. The fee for registration or renewal of registration of a vehicle under this section shall be the fee established under ORS 803.420 for registration or renewal of a state-owned vehicle registered under ORS 805.040.

(2) Any vehicle registered under this section and not exempted under ORS 815.300 must meet the requirements for certification of compliance with pollution control under ORS 815.310. [1987 c.440 §2; 1993 c.741 §124]

805.050 School buses and school activity vehicles; exceptions. (1) The Department of Transportation shall provide for registration of vehicles that qualify under this section in a manner that is consistent with this section. A vehicle qualifies for registration under this section if the vehicle meets the following qualifications and is not a vehicle that is described under subsection (2) of this section:

(a) The vehicle must be a motor vehicle.

(b) Except as provided under ORS 803.600, the vehicle must be used exclusively in transporting students to or from any school or authorized school activity or function, including extracurricular activities, and to or from points designated by a school.

(c) The vehicle must meet the requirements for school buses under ORS 820.100 to 820.120, or activity vehicles under ORS 820.110 and 820.120.

(d) The vehicle may be owned, operated or leased by the state, a city or county or any other political subdivision or otherwise provided to such government body for purposes described in this subsection or may be privately or otherwise owned and leased by or provided to a school for purposes described in this subsection.

(2) The following vehicles may not be registered under this section:

(a) A vehicle subject to regulation under ORS chapter 825.

(b) A vehicle regulated by a city under ORS 221.420.

(3) Except as otherwise provided by this section, vehicles registered under this section are subject to the same requirements and provisions for registration as are other vehicles. The following requirements and provisions are different from those otherwise provided for registration:

(a) The registration period for vehicles subject to this section shall be an ownership registration period as described under ORS 803.400, except that the registration continues valid if the ownership of the vehicle is transferred to another who continues to use the vehicle for purposes allowed under the registration.

(b) The fee for registration of the vehicles shall be the fee for registration of school vehicles established under ORS 803.420, and no other registration fee shall be required.

(c) Any vehicle registered under this section and not exempted under ORS 815.300 shall meet the requirements for certification of compliance with pollution control under ORS 815.310.

(4) The department shall suspend or revoke registration under this section if the department determines that:

(a) A vehicle registered under this section is being used for purposes other than those required for qualification for registration under this section, and a trip permit as provided under ORS 803.600 has not been obtained.

(b) The vehicle does not comply with requirements under ORS 820.100 to 820.120. [1985 c.547 §11; 1987 c.158 §164; 1993 c.741 §125]

805.060 Law enforcement undercover vehicles. (1) The Department of Transportation may issue registration plates or other evidence of registration from any regular series rather than from any specially designed government series for a vehicle operated by a federal, state, county, city or Indian tribal law enforcement, parole or probation agency in discharging its undercover criminal investigation duties if requested to do so by the agency. The registration period for a vehicle described under this section shall be the same as the regular registration period for the type of vehicle registered. The fee for registration or renewal of registration of a vehicle under this section shall be the fee established for registration or renewal of police undercover vehicles under ORS 803.420.

(2) Any vehicle registered under this section and not exempt from the requirements to comply with certificates of compliance for pollution control equipment by ORS 815.300, must be certified as complying with the requirements for pollution control equipment under ORS 815.310. [1983 c.338 §244; 1985 c.148 §2; 1987 c.6 §1; 1993 c.741 §126; 2001 c.827 §5]

805.070 [1983 c.338 §246; repealed by 1987 c.25 §6]

805.080 Campers. Except where specific provisions are made for campers, campers are subject to the same provisions of the vehicle code relating to registration, titling, transfer, sale and dealer regulation as any other vehicle. [1983 c.338 §250]

805.090 Nonfarm tractors. (1) Except where specific provisions are made for tractors described in this section, such tractors are subject to the same provisions of the vehicle code relating to registration, titling, transfer, sale and dealer regulation as a motor truck.

(2) This section applies to vehicles that would be farm tractors if used primarily in agricultural operations and that are not within:

(a) The exemptions from registration for farm tractors under ORS 803.305; or

(b) The classification of fixed load vehicle. [1983 c.338 §251; 1985 c.16 §96]

PARTICULAR PERSONS

805.100 Disabled veterans. (1) In the absence of just cause for refusal, the Department of Transportation shall provide for registration of any vehicle required to be registered by this state in a manner consistent with this section for persons who qualify as disabled veterans under this section. The special registration provisions under this section are subject to all of the following:

(a) The fee is the one-time registration fee established by ORS 803.420 for vehicles registered under this section.

(b) The department may issue registrations for vehicles in a household under this section in a number equal to the number of persons in the household who qualify as disabled veterans under subsection (2) of this section.

(c) The department shall not register any commercial vehicle under this section.

(2) A person is a disabled veteran who qualifies for registration of a vehicle under this section if the person:

(a) Is a disabled veteran whose disability results from causes connected with service in the Armed Forces of the United States; and

(b) Has been a member of and discharged or released under honorable conditions from the Armed Forces of the United States, and whose service was for not less than 90 consecutive days or who was discharged or released on account of a service-connected injury or illness prior to the completion of the minimum period of service.

(3) A person qualifies as a disabled veteran under subsection (2) of this section if the person presents a letter from the United States Department of Veterans Affairs or any branch of the Armed Forces of the United States certifying that the person is a disabled veteran.

(4) Registration issued under this section is valid as provided in ORS 803.415. The registration period for vehicles registered under this section exempts the registration from any requirement to be renewed or to make payment of renewal fees. However, if any owner would be required to comply with ORS 815.310 upon issuance or renewal of regular registration for the vehicle, the owner must comply with ORS 815.310 in the same manner as for other vehicles or the department may suspend the registration of the vehicle until the owner submits proof of compliance.

(5) The department may suspend or revoke any registration issued under this section if the department determines that the vehicle is owned by a person not qualified for registration under this section or the vehicle is a kind not qualified for registration under this section. [1983 c.338 §247; 1985 c.16 §92; 1993 c.741 §127; 1997 c.517 §1; 1999 c.778 §1]

805.110 Former prisoners of war. (1) In the absence of just cause for refusal, the Department of Transportation shall provide for registration of any motor vehicle required to be registered by this state in a manner consistent with this section for persons who qualify as former prisoners of war under this section. The special registration provisions under this section are subject to all of the following:

(a) The fee to register or renew registration under this section shall be the regular registration fee for the vehicle.

(b) The department shall not register a motor vehicle under this section if another vehicle owned by the applicant or a member of the applicant's household has been registered under this section.

(c) The department shall not register any commercial vehicle under this section or any motor vehicle with a loaded weight in excess of 10,000 pounds.

(2) A person is a former prisoner of war who qualifies for registration of a vehicle under this section if the person, while serving in the active military, naval or air service of the United States or any of its Allies, was forcibly detained or interned in line of duty:

(a) By an enemy government or its agents, or a hostile force, during a period of war; or

(b) By a foreign government or its agents, or a hostile force during a period other than a period of war in which such person was held under circumstances which the department finds to have been comparable to the circumstances under which persons have generally been forcibly detained or interned by enemy governments during periods of war.

(3) The surviving spouse of a former prisoner of war who was issued registration under this section may, upon the death of the former prisoner of war, continue to use the registration plates on a motor vehicle or may keep the plates as a memento.

(4) The department may suspend or revoke any registration issued under this section if the department determines that the vehicle is owned by a person not qualified for registration under this section or the vehicle is a kind not qualified for registration under this section. [1985 c.16 §94; 1987 c.750 §10; 1989 c.742 §1; 1993 c.741 §128; 2001 c.152 §3; 2005 c.770 §5]

805.115 Active members of Oregon National Guard. (1) In the absence of just cause for refusal, the Department of Transportation shall provide for registration in a manner consistent with this section for persons who qualify under this section as active members of the Oregon National Guard. The special registration provisions under this section are subject to the following:

(a) The fee to register or renew registration under this section shall be the regular registration fee for the vehicle.

(b) Any motor vehicle registered under ORS 803.420 (1) and (16)(c) and (d) may be registered under this section.

(2) A person is eligible for registration under this section if the person is issued a certificate by the Oregon Military Department certifying that the person is an active member of the Oregon National Guard.

(3) The department may suspend, revoke or refuse to renew any registration issued under this section if the department determines that the vehicle is owned by a person not qualified for registration under this section or that the vehicle is not eligible for registration under this section.

(4) The Oregon Military Department shall notify the Department of Transportation within 30 days if a person issued a certificate described in subsection (2) of this section ceases to be an active member of the Oregon National Guard. [1991 c.383 §2; 1993 c.741 §129; 2001 c.293 §11]

FLEETS

805.120 Effect of fleet registration; requirements; rules. (1) The owner of a fleet of vehicles may register the vehicles under this section as a fleet in lieu of registering the vehicles individually.

(2) Except as otherwise provided under this section, vehicles registered in a fleet under this section are subject to the same taxes, fees, qualifications, provisions, conditions, prohibitions and penalties applicable to similar vehicles otherwise registered under the vehicle code.

(3) The following apply to fleets registered under this section:

(a) The registered owner of the fleet must maintain the number of vehicles registered in the fleet that the Department of Transportation determines by rule to be required for participation in the fleet registration program.

(b) Fleet registration or renewal of fleet registration under this section may be annual or biennial registration as determined by the department by rule.

(c) The registration of individual vehicles in a fleet registered under this section does not expire as long as the fleet registration is valid.

(d) The department shall assign identification to the fleet and, upon payment of appropriate fees, shall issue to the registered owner of the fleet permanent fleet tags, stickers, plates or other identification the department determines appropriate for the vehicles that the owner and the department have agreed to place in the fleet. The department may establish the use of any appropriate form of identification under this paragraph as the department determines convenient for its own operation.

(e) The tags, stickers, plates or other appropriate identification issued under this section shall be displayed on any vehicle to which it has been assigned by the department.

(f) Registration cards issued by the department for vehicles registered under this section are only required to individually describe the vehicles in the fleet to the extent the department determines necessary and to identify the fleet in which the vehicles are registered.

(g) Application for registration under this section shall be in the manner determined by the department by rule.

(h) The fleet owner shall maintain records and provide information to the department as required by the department by rule and shall allow the department to audit the records of the owner and conduct inspections at any reasonable time to determine compliance with requirements for fleet registration.

(i) Vehicles shall be added to the fleet and transferred from the fleet according to procedures established by the department by rule.

(j) The vehicles in the fleet shall be marked in compliance with any requirement for vehicle markings the department determines necessary for identification of fleet vehicles.

(k) The department may adjust fee payments and registration periods for individual vehicles added to a fleet registered under this section as the department determines necessary for administration of the fleet registration.

(L) The fees for a fleet registered under this section are the same as the fees required if the vehicles in the fleet are individually registered under the vehicle code.

(m) The department may charge a service charge for each vehicle entered into a fleet and a fleet vehicle renewal charge for each vehicle in the fleet at the time of renewal.

Fees described in this paragraph are established under ORS 803.420.

(n) The department may schedule the time for payment of fleet registration fees in any manner convenient to the department or the fleet owner.

(o) The fleet owner shall comply with any rules the department establishes for the registration of vehicles in fleets under this section.

(p) The department shall cancel any registration under this section if the department determines that the owner of the vehicles registered is not complying with any requirements for fleet registration established under this section or by the department.

(q) A fleet owner may certify compliance with pollution control requirements under ORS 815.310 in the manner provided under ORS 815.310 for vehicles registered under this section.

(r) The department shall establish procedures for the reporting of odometer disclosures for the vehicles in the fleet on a regular basis and for vehicles that are withdrawn from the fleet, if odometer disclosures are otherwise required. The reports shall provide any information the department determines by rule to be necessary. The department may establish any reporting time the department considers convenient, but shall attempt to establish periods with a frequency roughly equivalent to those for renewal of vehicle registration. The department shall retain the odometer information submitted under this section but need not print it on certificates of title or registration cards.

(4) A fleet owner may request that the registration of all vehicles in the fleet expire in the same month. Notwithstanding ORS 803.405 or any other provision of this section, if such a request is made the department shall:

(a) Adjust the registration expiration date of all vehicles in the fleet.

(b) When a vehicle that is already registered in this state is added to the fleet, adjust the registration expiration date of the vehicle to correspond to that of other vehicles in the fleet.

(c) When a vehicle that has never before been registered in this state is added to the fleet, assign a registration expiration date to the vehicle that corresponds to that of other vehicles in the fleet.

(5) When the department adjusts or assigns registration expiration dates in accordance with subsection (4) of this section, the department shall prorate all registration fees to reflect the adjustment or assignment.

(6) The department shall adopt rules necessary for the administration of this section. The rules may include any rules that increase the convenience of administration or the convenience of the registration process under this section. [1983 c.338 §249; 1985 c.16 §95; 1985 c.245 §1; 1985 c.251 §23; 1985 c.668 §8; 1991 c.459 §438i; 1991 c.873 §17]

805.130 [1983 c.338 §248; 1985 c.401 §7; repealed by 1993 c.174 §1]

805.140 [1983 c.338 §252; 1985 c.16 §97; 1985 c.668 §9; 1989 c.109 §4; 1989 c.171 §87; repealed by 1989 c.43 §37]

805.150 [1983 c.338 §253; 1985 c.16 §98; 1985 c.668 §10; 1989 c.109 §1; repealed by 1989 c.43 §37]

SPECIAL INDICIA OF REGISTRATION

805.200 Plates and other devices with special designs; rules. (1) The Department of Transportation by rule:

(a) Shall design plates, stickers, plate and sticker combinations or other devices or indicia that distinguish government-owned vehicles registered under the provisions of ORS 805.040 from other vehicles.

(b) May design plates, stickers, plate and sticker combinations or other devices or indicia for distinguishing vehicles registered under specific provisions of the Oregon Vehicle Code other than ORS 805.040 or 805.205. Plates designed under this paragraph shall comply with the requirements of ORS 803.535. The fees for plates or indicia described in this paragraph are provided under ORS 805.250.

(2) Unless otherwise provided by statute or by rule of the department, indicia of registration that distinguish one kind of registration from another may not be transferred unless the new owner of the vehicle qualifies for that specific kind of registration.

(3) The department may adopt rules concerning the disposition of plates, stickers, devices or other indicia of registration upon transfer of ownership of the vehicle or when the owner or the vehicle is no longer eligible for the particular indicia. The department may cancel or revoke registration for failure to comply with rules adopted under this section. [1983 c.338 §263; 1985 c.16 §103; 1985 c.547 §15; 1985 c.668 §14; 1987 c.25 §4; 1989 c.43 §31; 1991 c.284 §21; 1991 c.383 §3; 1991 c.481 §3; 1993 c.741 §117]

805.202 Limitations on number of different kinds of special registration plates. (1) As used in this section, "special registration plate" means a registration plate issued by the Department of Transportation:

(a) For which a surcharge is imposed in order to raise money for an entity other than the department;

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

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

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

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

(3) When the department eliminates a kind of special registration plate in accordance with the provisions of a law described in subsection (2) of this section, the department shall continue to issue the plate until the new plate is available. When the new plate is available, the department shall destroy the remaining stock of the eliminated plate. [2003 c.409 §2]

805.205 Issuance of special plates for certain groups; rules; surcharge; disposition of moneys. (1) The Department of Transportation by rule shall provide for issuance of registration plates described in subsection (3) of this section for nonprofit groups meeting the qualifications for tax exempt status under section 501(c)(3) of the Internal Revenue Code, for institutions of higher education and for veterans' organizations. The department shall also provide, upon request from a veterans' group or the Director of Veterans' Affairs, for issuance of a veterans' recognition registration plate that may be issued only to veterans. Plates issued under this section may be issued to owners of motor vehicles registered under the provisions of ORS 803.420 (1). Plates issued under this section may not contain expressions of political opinion or religious belief. Rules adopted under this section shall include, but need not be limited to, rules that:

(a) Describe general qualifications to be met by any group in order to be eligible for plates issued under this section.

(b) Specify circumstances under which the department may cease to issue plates for any particular group.

(c) Require each group for which plates are issued, other than a group or the Director of Veterans' Affairs requesting a veterans' recognition plate, to file an annual statement on a form designed by the department showing that the group is a nonprofit group or an institution of higher education and otherwise meets the qualifications imposed for eligibility for plates issued under this section. The statement shall include names and addresses of current directors or officers of the group or of other persons authorized to speak for the group or institution on matters affecting plates issued under this section.

(d) Require proof of veteran status for issuance of a veterans' recognition plate and specify what constitutes proof.

(2)(a) Except as otherwise provided in paragraph (b) of this subsection, in addition to any other fee authorized by law, upon issuance of a plate under this section and upon renewal of registration for a vehicle that has plates issued under this section, the department shall collect a surcharge of $2.50 per plate for each year of the registration period.

(b) In addition to any other fee authorized by law, upon issuance of a plate under this section that recognizes an institution of higher education in this state, and upon renewal of registration for a vehicle that has such plates, the department shall collect a surcharge of $8 per plate for each year of the registration period.

(3) Plates issued under this section shall be from the current regular issue of plates except that:

(a) In consultation with the group or the Director of Veterans' Affairs requesting the plates, the department shall add words to the plate that name or describe the group or veterans recognized.

(b) If the group or the Director of Veterans' Affairs requesting the plates represents persons who have been awarded the Purple Heart medal, the plates shall contain an image of the medal.

(c) If the group requesting the plates is an institution of higher education, the plates shall, upon request, contain words that indicate the plates are issued to recognize the institution or shall contain the institution's logo or an image of the institution's mascot.

(4) Except as otherwise required by the design chosen, the plates shall comply with the requirements of ORS 803.535. The department shall determine how many sets of plates shall be manufactured for each group approved under this section or for the Director of Veterans' Affairs. If the department does not sell or issue renewal for 500 sets of plates for a particular group or for the Director of Veterans' Affairs in any one year, the department shall cease production of those plates.

(5) Except as otherwise provided in subsection (6) of this section, each group that is found by the department to be eligible for plates issued under this section may designate an account into which the net proceeds of the surcharge collected by the department

under subsection (2) of this section are to be deposited. The department shall keep accurate records of the number of plates issued for each group that qualifies. After payment of administrative expenses of the department, moneys collected under this section for each group shall be deposited by the department into an account specified by that group. If any group does not specify an account for the moneys collected from the sale of plates issued under this section, the department shall deposit moneys collected for those plates into the Environmental Quality Information Account established under ORS 802.100 to be used as other moneys in the account are used. Deposits under this subsection shall be made at least quarterly.

(6)(a) Each institution of higher education that requests a plate under this section shall designate an account in the general fund of the institution, and the proceeds in the account shall be used for the purpose of academic enrichment at the institution.

(b) Net proceeds of the surcharge collected by the department for the veterans' recognition plate shall be deposited in the trust fund established under ORS 406.050 for paying the expenses of operating the Oregon Veterans' Home. Deposits under this paragraph shall be made at least quarterly. [1993 c.741 §116; 1997 c.672 §1; 2001 c.102 §6; 2001 c.124 §4; 2003 c.409 §3]

Note: Section 9, chapter 409, Oregon Laws 2003, provides:

Sec. 9. A person with a motor home or travel trailer that has registration plates issued under ORS 805.205, 805.255, 805.260 or 805.263 prior to the effective date of this 2003 Act [January 1, 2004] may renew the plates. The person may transfer the plates only if the person requests that the plates be issued as customized registration plates under ORS 805.240. [2003 c.409 §9]

805.206 Application fee and costs for plates issued under ORS 805.205. (1) A group, institution or organization that requests issuance of a plate under ORS 805.205 shall pay to the Department of Transportation an application fee of $10,000 in addition to all of the department's anticipated costs of adding the group to the program. The department may not begin creating or issuing the plates until the application fee and anticipated costs are paid. If 1,000 sets of the plates are purchased in the first 12 months that the plates are available, the department shall refund the application fee. For purposes of this section, costs of adding a new group include, but are not limited to, computer programming costs and vendor set-up fees.

(2) If the Director of Veterans' Affairs requests issuance of a plate under ORS 805.205, the director shall pay to the department the application fee and all of the department's anticipated costs of issuance of the plate from grants, donations and gifts accepted by the Director of Veterans' Affairs under ORS 406.050 that are expendable for the purpose of issuance of a veterans' recognition registration plate. [1997 c.672 §3; 2003 c.409 §4]

805.208 Disposition of certain plates issued to veterans under ORS 805.205. The surviving spouse of a veteran who was issued registration plates under ORS 805.205 may, upon the death of the veteran, continue to use the plates on a motor vehicle or may keep the plates as a memento. [2001 c.152 §2]

805.210 Special interest vehicle plates. (1) The owner of a vehicle of special interest may apply to the Department of Transportation for permission to use special interest registration plates. To receive permission to use special interest registration plates the person must:

(a) Maintain the vehicle of special interest as a collectors' item and use the vehicle only for exhibitions, parades, club activities and similar uses but not use the vehicle primarily for the transportation of persons or property;

(b) Supply the special interest registration plates which the person desires to use; and

(c) Include the plates with the application for permission to use them.

(2) The department, prior to approval of an application under this section, shall determine that the special interest registration plates meet the following requirements:

(a) The plates shall be issued by the State of Oregon for use on vehicles in this state.

(b) The numbers and characters on the plate shall be distinctive.

(c) The plates shall be legible, durable and otherwise of a size, shape, color and design that will serve the purposes of safety and identification.

(d) If the plates are from a series of plates in current use, the plates shall be from the same year or period of issue in which the vehicle was manufactured.

(3) If the special interest registration plate offered for approval was issued in a year in which single registration plates only were required, the department shall grant permission for use of that registration plate alone if it is otherwise acceptable.

(4) If the special interest registration plates offered for approval are from a series of plates in current use, as described in subsection (2)(d) of this section, the department may affix a distinctive sticker to each plate at the time of approval. Stickers shall be of a size, color and design determined by the department and shall be displayed on plates in the manner determined by the department.

(5) The department may approve plates issued by the state that have been restored to their original color and design provided that if the plate was reflectorized when originally issued, it must be fully reflectorized when restored. [1983 c.338 §264; 1985 c.570 §1; 1991 c.896 §1; 1993 c.741 §130; 2003 c.122 §5]

805.220 Elected official plates; qualifications; fee; rules. (1) Upon application by an elected official who qualifies under this section, the Department of Transportation shall issue registration plates described under this section to the official for use on the motor vehicle of the person. Registration plates issued under this section may be displayed on the vehicle of the person in lieu of regular registration plates issued under the vehicle code.

(2) The following apply to registration plates issued under this section:

(a) The plates shall be considered customized plates for purposes of the fee in ORS 805.250.

(b) The plates shall be assigned to a specific vehicle.

(c) The plates shall be issued in addition to regular registration plates issued for a vehicle at the option of the applicant.

(d) The plates shall not be transferable from vehicle to vehicle except as provided by the department by rule.

(e) The plates shall be valid for the term of office of the qualifying official. If the person is elected to a subsequent term of office, the department may provide for validation of the plate for the subsequent term by means of a sticker or by any other means the department determines convenient.

(f) The person to whom the plates are issued may retain the plates after the person's term of office, but the plates shall not be valid if displayed on any vehicle while the person is not holding the office for which the plates were issued.

(3) Only the following elected officials qualify for issuance of registration plates under this section:

(a) The Secretary of State.

(b) The State Treasurer.

(c) Members of the Oregon Legislative Assembly.

(d) Members of the Oregon Congressional Delegation.

(4) Nothing in this section applies to or affects the authority of the department to issue distinctive registration plates on vehicles owned by this state that are provided for use of the Governor.

(5) The department shall adopt rules necessary to carry out the purposes of this section. [1985 c.16 §105; 1993 c.741 §131]

805.230 Amateur radio operator plates; fee. (1) A motor vehicle owner who is a resident of this state and who holds a valid, unrevoked and unexpired official amateur radio station license issued by the Federal Communications Commission may obtain from the Department of Transportation special registration plates designed by the department for use on the vehicle in lieu of the regularly issued registration plates for the vehicle. To obtain special registration plates described under this section, a person must submit to the department the fee established under ORS 805.250 for issuance of the special registration plates.

(2) Upon the revocation or expiration of the radio license, the person must return the plates issued under this section to the department and receive in lieu thereof regular registration plates. [1983 c.338 §265; 1985 c.16 §106; 1993 c.741 §132]

805.240 Customized plates; fee. The Department of Transportation is authorized to issue customized registration plates upon the request of vehicle owners. Such registration plates shall meet the requirements for registration plates described in ORS 803.535. The fee for issuance of the customized plates is as provided under ORS 805.250. [1983 c.338 §266; 1993 c.741 §133]

805.242 Transfer of plates that are not from current issue; fee. Notwithstanding ORS 803.530 (1), the Department of Transportation shall approve a request to transfer registration plates that are not from a current issue of plates if the owner of the plates submits an application for transfer along with the plate transfer fee and the fee for a customized registration plate established in ORS 805.250, in addition to any required registration fee. Upon transfer of the plates, the plates shall for all purposes be considered customized registration plates issued as provided in ORS 805.240. [1993 c.741 §116a]

805.250 Fees for special plates. This section establishes fees for issuance of registration plates authorized under ORS 805.200. If a fee for plates authorized in ORS 805.200 is not established in this section, the fee is the same fee as established under ORS 803.570. Where a fee is established under this section, the fee is in addition to the fee established under ORS 803.570 unless otherwise provided in the following:

(1) Amateur radio operator registration plates issued under ORS 805.230, $5.

(2) Customized registration plates issued under ORS 805.240:

(a) For original issuance, $25 annual fee.

(b) For issuance of a duplicate or replacement plate, $5 when the plate is issued at the time of renewal of registration or $10 when the plate is issued at any other time.

(3) Special interest registration plates approved under ORS 805.210 are approved without cost except as provided in this subsection, including without payment of the fee established under ORS 803.570. If identifying stickers are required, $1 per sticker or pair of stickers.

(4) Dealer plates issued under ORS 822.020 and 822.040 are as follows:

(a) For the original dealer plate, no fee except the fee established under ORS 803.570.

(b) For replacement dealer plates, $10 for each plate except that persons dealing exclusively in motorcycles, mopeds, snowmobiles or any combination of those vehicles shall pay only $3 for each replacement plate.

(c) For additional plates, or for renewal of registration, $42, except that persons dealing exclusively in motorcycles, mopeds or snowmobiles or any combination of those vehicles shall pay only $9 for each additional plate, or for renewal of registration.

(5) Special vehicle transporter plates or devices issued under ORS 822.310, $5 for each plate or device. [1983 c.338 §270; 1985 c.16 §109; 1985 c.174 §7; 1985 c.400 §3; 1985 c.570 §2; 1985 c.668 §15; 1987 c.25 §5; 1987 c.261 §2; 1989 c.43 §32; 1991 c.481 §4; 1993 c.741 §134; 1999 c.977 §§22,22a; 1999 c.1009 §2]

805.255 Salmon registration plate; rules; fees. (1) The Department of Transportation shall establish a salmon registration plate program to issue special registration plates called "salmon registration plates" upon request to owners of motor vehicles registered under the provisions of ORS 803.420 (1) to observe the importance of salmonid to Oregon. In addition, the department may adopt rules for issuance of salmon registration plates for vehicles not registered under the provisions of ORS 803.420 (1).

(2) In addition to any other fee authorized by law, for each salmon registration plate issued under subsection (1) of this section, the department shall collect a surcharge of $7.50 for each year of the registration period, payable when the plate is issued and upon each subsequent renewal of registration of a vehicle bearing the plate. The department shall distribute the surcharge as provided in ORS 805.256. [1997 c.672 §6; 2001 c.124 §5; 2003 c.14 §464; 2003 c.409 §5]

Note: See note under 805.205.

805.256 Disposition of moneys from salmon registration plate surcharge. (1) After deduction of the cost of administration of the salmon registration plate program, moneys from the surcharge imposed by ORS 805.255 shall be transferred and appropriated as follows:

(a) Half of the moneys shall be transferred to the Oregon Watershed Enhancement Board established under ORS 541.360 and shall be continuously appropriated to the board for watershed enhancement projects under ORS 541.375 that are designed to restore salmonid habitats and improve the health of streams that support salmonid populations; and

(b) Half of the moneys shall be transferred to the State Parks and Recreation Department Fund established under ORS 390.134 and continuously appropriated for the purposes described in ORS 390.134 (4).

(2) As used in this section, "the cost of administration of the salmon registration plate program" is the sum of all Department of Transportation expenses for the issuance or transfer of salmon registration plates under ORS 805.255 that are above the normal costs of issuing, renewing and transferring registration plates in the normal course of the business of the department. These expenses include, but are not limited to, the costs of collecting the salmon registration plate surcharge and transferring salmon registration plates. [1997 c.672 §7; 2003 c.14 §465]

805.260 Cultural registration plates; rules; fees. (1) The Department of Transportation shall establish a cultural registration plate program to issue special registration plates called "cultural registration plates" upon request to owners of motor vehicles registered under the provisions of ORS 803.420 (1) to observe the importance of culture to Oregon. In addition, the department may adopt rules for issuance of cultural registration plates for vehicles not registered under the provisions of ORS 803.420 (1).

(2) In addition to any other fee authorized by law, for each cultural registration plate issued under subsection (1) of this section, the department shall collect a surcharge of $15 payable when the plate is issued and upon each subsequent renewal of registration of a vehicle bearing the plate. The department shall distribute the surcharge as provided in ORS 805.261.

(3) The department, in consultation with the Trust for Cultural Development Board, shall design the cultural registration plates. The plates shall meet the requirements for registration plates described in ORS 803.535. [2001 c.954 §21; 2003 c.409 §7]

Note: See note under 805.205.

805.261 Disposition of moneys from cultural registration plate surcharge. (1) After deduction of the cost of administration of the cultural registration plate program, moneys from the surcharge imposed by ORS

805.260 shall be transferred to the Trust for Cultural Development Account established under ORS 359.405.

(2) As used in this section, "the cost of administration of the cultural registration plate program" is the sum of all Department of Transportation expenses for the issuance or transfer of cultural registration plates under ORS 805.260 that are above the normal costs of issuing, renewing and transferring registration plates in the normal course of the business of the department. These expenses include, but are not limited to, the costs of collecting the cultural registration plate surcharge and transferring cultural registration plates. [2001 c.954 §22; 2005 c.755 §56]

805.263 Crater Lake National Park registration plate; rules; fees. (1) The Department of Transportation shall establish a Crater Lake National Park registration plate program to issue special registration plates called "Crater Lake National Park registration plates" upon request to owners of motor vehicles registered under the provisions of ORS 803.420 (1) to commemorate the 100th anniversary of Crater Lake National Park. The department may adopt rules for issuance of Crater Lake National Park registration plates for vehicles that are not registered under the provisions of ORS 803.420 (1).

(2) In addition to any other fee authorized by law, for each Crater Lake National Park registration plate issued under subsection (1) of this section, the department shall collect a surcharge of $10 payable when the plate is issued. The department shall distribute the surcharge as provided in ORS 805.264. [2001 c.824 §1; 2003 c.409 §6]

Note: 805.263 and 805.264 were enacted into law by the Legislative Assembly but were not added to or made a part of the Oregon Vehicle Code or any chapter or series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

Note: See note under 805.205.

805.264 Disposition of moneys from Crater Lake National Park registration plate surcharge. (1) After deduction of the cost of administration of the Crater Lake National Park registration plate program, the Department of Transportation shall transfer moneys from the surcharge imposed by ORS 805.263 to the National Park Foundation for use on Crater Lake National Park projects.

(2) As used in this section, "the cost of administration of the Crater Lake National Park registration plate program" is the sum of all Department of Transportation expenses for the issuance or transfer of Crater Lake National Park registration plates under ORS 805.263 that are above the normal costs of issuing, renewing and transferring registration plates in the normal course of business in the department. These expenses include, but are not limited to, the costs of collecting the Crater Lake National Park registration plate surcharge and transferring Crater Lake National Park registration plates. [2001 c.824 §2]

Note: See first note under 805.263.

FARM VEHICLES

805.300 Farm vehicle registration; general requirements; fees. Any farmer who is the owner of a motor vehicle may apply to the Department of Transportation for and, upon payment of appropriate fees, may receive farm vehicle registration described in this section to operate the vehicle. Farm vehicle registration is subject to the following as described:

(1) Application is as provided under ORS 805.320.

(2) Qualification is as provided under ORS 805.310.

(3) The fees are as provided under ORS 803.420.

(4) The registration period is as provided under ORS 803.415.

(5) Once registered under a farm vehicle registration, a vehicle may be used only for purposes described under ORS 805.390. Violation of limits imposed on use is punishable as provided under ORS 805.350.

(6) Vehicles are exempt from or subject to regulation under ORS chapter 825 as provided in ORS 825.024.

(7) Transfer is subject to ORS 805.340.

(8) The registration may be canceled as provided under ORS 805.380. [1983 c.338 §766; 1985 c.16 §366; 1989 c.723 §15; 1993 c.741 §135; 1993 c.751 §109]

805.310 Qualifications for registration. To qualify for issuance of registration described under ORS 805.300 a person must be engaged, either as owner or renter, in operating one or more farms, orchards or ranches actually producing agricultural products or raising livestock in sufficient quantities to reasonably require the use of the motor vehicle or vehicles for which the farm vehicle license is sought. Cooperative corporations or associations organized under the provisions of ORS chapter 62 or corporations or subsidiaries of corporations do not qualify for the issuance of licenses described under ORS 805.300 if owned by more than 100 shareholders. As used in this section, "shareholder" has the meaning given that term in ORS 60.001. [1983 c.338 §769; 1985 c.16 §368; 1987 c.94 §109; 2003 c.80 §26]

805.320 Application for registration. Application for registration described under ORS 805.300 shall be made in a form prescribed by the Department of Transportation and certified to by the applicant and shall include all of the following:

(1) The name and residence or business address of the applicant.

(2) The township and number of acres as shown on the latest county real property tax statements of one or more of the farms, orchards or ranches upon which the motor vehicle sought to be registered is to be used.

(3) The type and amount of agricultural commodities, agricultural products or livestock produced annually on one or more of the farms, orchards or ranches upon which the motor vehicle sought to be registered is to be used.

(4) The number of trucks used on the one or more farms, orchards or ranches upon which the motor vehicle sought to be registered is to be used and the combined weight of the motor vehicle sought to be registered.

(5) A statement that any motor vehicle registered under ORS 805.300:

(a) Will be used for one or more of the purposes specified under ORS 805.390.

(b) Will not be used, at any time while registered under ORS 805.300, for any other purpose or for the transportation of any other commodities or products for hire except as provided under ORS 825.024.

(c) Is needed in the operation of the one or more farms, orchards or ranches upon which the motor vehicle sought to be registered is to be used.

(6) Any other information required by the department.

(7) Additional information required by law or by the department in making an application for regular registration for the motor vehicle.

(8) The application shall contain a declaration that it is made under penalties for false certification. Violation of this subsection is subject to penalties under ORS 805.370. [1983 c.338 §770; 1985 c.16 §369; 1989 c.723 §16; 1991 c.284 §22; 1993 c.368 §2; 1993 c.751 §98; 1995 c.522 §2]

805.322 Annual proof of qualification for farm vehicle registration. The owner of a vehicle or combination that has four or more axles and that is registered as a farm vehicle under ORS 805.300 or has a farm device issued pursuant to ORS 805.400 shall annually show to the satisfaction of the Department of Transportation that the owner meets the qualifications of ORS 805.320. [1993 c.368 §4]

805.330 [1983 c.338 §771; 1985 c.16 §370; repealed by 1993 c.751 §106]

805.340 Effect of sale of vehicle. Upon sale of a vehicle registered under ORS 805.300, prior to operation of the vehicle on a highway, the new owner must reregister the vehicle unless the new owner is qualified under ORS 805.310 to register the vehicle under ORS 805.300. [1983 c.338 §774; 1985 c.16 §371; 1993 c.741 §136]

805.350 Violation of farm registration limits; penalty. (1) A person commits the offense of violation of farm registration limits if the person uses or owns and permits to be used a vehicle registered under ORS 805.300 for purposes other than purposes described under ORS 805.390.

(2) The offense described in this section, violation of farm registration limits, is a Class A misdemeanor. [1983 c.338 §775; 1985 c.16 §372]

805.360 Failure to register farm vehicle properly; penalty. (1) A person commits the offense of failure to register a farm vehicle properly if the person is the new owner of a vehicle with registration under ORS 805.300, and the person operates the vehicle before properly registering it.

(2) Nothing in this section prohibits a person from registering the vehicle under ORS 805.300 if qualifications for registration under that section are met.

(3) The offense described in this section, failure to register a farm vehicle properly, is a Class A misdemeanor. [1983 c.338 §776; 1985 c.16 §373; 1993 c.741 §137]

805.370 False certification; penalty. (1) A person commits the offense of false certification on farm registration if the person knowingly certifies falsely to any information on any application for issuance of registration under ORS 805.320.

(2) The offense described in this section, false certification on farm registration, is a Class A misdemeanor. [1983 c.338 §777; 1985 c.16 §374; 1993 c.751 §110]

805.380 Department investigation; cancellation. The Department of Transportation shall have the authority to investigate and verify information provided in conjunction with application for registration under ORS 805.300. The department may cancel the registration of any vehicle that has registration issued under ORS 805.300 if the owner or a lessee or an employee of either is convicted of violation of ORS 805.350 to 805.370, if the department determines that such person has violated ORS 805.350 to 805.370 whether or not the person is convicted for the violation or if the department determines that either the vehicle or the owner no longer qualifies for farm vehicle registration.

If registration is canceled under this section, the vehicle shall not again be eligible for registration under ORS 805.300 for a period of one year after the cancellation. [1985 c.16 §377; 1993 c.741 §138]

805.390 Permitted uses of farm-registered vehicles. This section establishes the uses allowed for vehicles registered under ORS 805.300, and for vehicles authorized by ORS 805.400 to be registered under ORS 826.009 or 826.011. Vehicles with farm vehicle registration or farm vehicle proportional registration may only be used for purposes described in this section. Uses permitted on a farm under this section are also permitted on one or more farms, orchards or ranches of the qualifying farmer. Violation of the limits established under this section is subject to penalty under ORS 805.350. The following describes the uses permitted vehicles registered under ORS 805.300 and for vehicles authorized by ORS 805.400 to be registered under ORS 826.009 or 826.011:

(1) The vehicles may be used in transporting the farmer's own agricultural commodities, agricultural products or livestock that were originally grown or raised by the farmer on the farmer's own farm. This subsection includes products and by-products of commodities or livestock that were packed, processed or manufactured by or for the farm operation so long as the farmer retains ownership of the products but does not include products that have been transformed into a finished state. For purposes of this subsection, products have not been transformed into a finished state if the products:

(a) Will be used in agricultural production;

(b) Will be used in the production of another product;

(c) Are not changed in visible character; or

(d) Are of a type or kind ordinarily requiring further processing prior to sale to the ultimate consumer.

(2) The vehicles may be used in any transportation that is incidental to the regular operation of the farmer's farm.

(3) The vehicles may be used to transport supplies, equipment or materials to the farmer's farm that are consumed or used on the farm.

(4) The vehicles may be used in transporting forest products to the farmer's own farm or transporting for any purpose forest products originating on the farmer's farm. The only forest products included under this subsection are forest materials originating on a farm or as an incident to the regular operation of a farm.

(5) The vehicles may be used in the transportation of products, supplies, equipment or materials for another farmer who qualifies under ORS 805.310 on an exchange of labor basis if such products, supplies, equipment or materials are to be used or consumed on such farm or are directly related to the operation of the farm.

(6) The vehicles may be operated for the personal use of the farmer, any member of the farmer's immediate family or any person in the farmer's employ.

(7) The vehicles shall not be used to transport any of the following:

(a) Piling.

(b) Poles over 30 inches in circumference at the large end.

(c) Except as otherwise provided in this paragraph, logs over eight feet six inches in length. A vehicle may be used to transport logs over eight feet six inches but not over 16 feet 6 inches in length if the vehicle has a loaded weight of 16,000 pounds or less.

(8) The vehicles may be partially operated under a permit issued by the Department of Transportation under ORS 825.102, as described in ORS 825.024. When operated under a permit issued under ORS 825.102, the vehicles are subject to ORS chapter 825.

(9) The vehicles may be partially operated for hire as permitted in ORS 825.024 (1)(c) and (d).

(10) The vehicles may be rented or borrowed by a farmer to haul the farmer's own products if the farmer would qualify for farm vehicle registration for vehicles of the type and size rented or borrowed.

(11) The vehicles may be used in transporting straw, whether or not the straw was grown on the farmer's own farm, if the transporting farmer is the one who bales the straw. [1983 c.338 §767; 1985 c.16 §367; 1985 c.668 §20; 1989 c.43 §33; 1993 c.368 §5; 1995 c.248 §1; 1995 c.522 §5; 1999 c.59 §237]

805.400 Proportional registration for farm vehicles. (1) Any person who qualifies under ORS 805.310 for farm vehicle registration under ORS 805.300 may choose to register farm qualified vehicles under the proportional registration provisions of ORS 826.009 or 826.011 in lieu of registering the vehicles under the farm vehicle registration provisions of ORS 805.300. Except as otherwise provided in this section, farm vehicles registered under ORS 826.009 or 826.011 are subject to the same requirements, conditions and privileges as other vehicles registered under those sections. Farm vehicle proportional registration is subject to the following:

(a) In addition to any application for registration required by ORS 826.009 or

826.011, the applicant must submit an application to the Department of Transportation certified by the applicant and containing the information specified in ORS 805.320 for farm vehicle registration.

(b) The department shall issue appropriate identification devices for proportionally registered farm vehicles. The design for such devices shall be determined by the department by rule and the fees for such devices are as provided in ORS 803.577.

(c) An identification device for proportionally registered farm vehicles is subject to cancellation as provided in ORS 805.410.

(2) The following provisions apply to a vehicle that has been issued farm vehicle proportional registration:

(a) The vehicle may be used only for purposes described in ORS 805.390. Violation of this paragraph is punishable as provided in ORS 805.350 for violation of farm registration limits.

(b) The vehicle is exempt from or subject to regulation under ORS chapter 825 to the same extent and in the same manner as provided in ORS 825.024 for vehicles registered under ORS 805.300. [1985 c.668 §18; 1989 c.43 §34; 1991 c.284 §23; 1991 c.407 §37; 1993 c.751 §111]

805.410 Department investigation of farm vehicle proportional registration application; cancellation. (1) The Department of Transportation shall have the authority to investigate and verify information provided in conjunction with application for proportional registration of a farm vehicle under ORS 805.400. The department may cancel an identification device for a proportionally registered farm vehicle if the department determines that the owner or lessee of the vehicle, or an employee of either, has:

(a) Operated the vehicle in violation of farm registration limits; or

(b) Falsely certified an application required by ORS 805.400 for registration or renewal of registration of a proportionally registered farm vehicle.

(2) If a farm vehicle proportional registration identification device is canceled under this section, the vehicle is not eligible for registration under ORS 805.300 for a period of one year after the cancellation. [1985 c.668 §19]