Chapter 803

2009 EDITION

Vehicle Title and Registration

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TITLES

(Generally)

803.010 Proof of ownership. A certificate of title is prima facie evidence of the ownership of a vehicle or of an interest therein. In all actions, suits or criminal proceedings, when the title to or right of possession of any vehicle is involved, proof of the ownership or right to possession shall be made by means of:

(1) The original certificate of title issued by the Department of Transportation;

(2) A salvage title certificate issued by the department; or

(3) The department records as provided under ORS 802.240. [1983 c.338 §174; 1991 c.873 §29]

803.012 Rules for title forms and fees. (1) The Department of Transportation may adopt rules authorizing different forms of title and specifying the uses of the different forms. The rules may include, but need not be limited to, rules authorizing and describing uses of electronic titles and certificates of title.

(2) Rules adopted under this section may require or allow different forms of title for different purposes or for different persons.

(3) Rules adopted under this section may include fee structures that vary for different forms of title but in no case may the department charge more than the fees established for similar title transactions under ORS 803.090. [1993 c.233 §6]

803.015 Certificate contents. The Department of Transportation shall design a certificate of title for vehicles for situations in which the department determines that certificates will be issued. A certificate of title issued by the department shall conform to all of the following:

(1) The certificate shall be numbered in a manner prescribed by the department.

(2) The certificate shall contain a description of the vehicle.

(3) The certificate shall contain evidence of identification of the vehicle the department deems proper.

(4) The certificate shall contain the name of the owner of the vehicle.

(5) The certificate shall identify any security interest holders in the order of their priority. This subsection does not apply to the security interests where the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale or lease.

(6) The certificate shall identify any lessor of the vehicle.

(7) The certificate shall be authenticated by a seal of the State of Oregon printed on the certificate.

(8) The certificate shall have space to fill in information required by the department upon the transfer of a vehicle under ORS 803.094 and space for the odometer disclosure required on transfer of an interest under ORS 803.102.

(9) If the vehicle is an assembled vehicle, the certificate shall:

(a) Show the make of the vehicle as "assembled."

(b) Show the year the building of the vehicle is completed as the year model of the vehicle.

(10) The certificate shall show the mileage of the vehicle as reported to the department at the time the most recent title transfer was reported to the department, or the mileage reported to the department at the time the vehicle was initially titled in Oregon, whichever occurred last. The information required by this subsection shall be shown as reported to the department on odometer disclosure reports required by law to be submitted to the department.

(11) The certificate shall contain any brand or notation specified by the department by rule.

(12) The certificate shall contain any other information required by the department.

(13) The certificate shall be produced by a secure process that meets or exceeds the requirements of federal law. [1983 c.338 §175; 1985 c.16 §58; 1985 c.251 §14; 1985 c.253 §1; 1985 c.402 §6; 1987 c.127 §1; 1989 c.148 §8; 1991 c.820 §9; 1991 c.873 §7; 1993 c.233 §14; 2001 c.293 §1; 2001 c.445 §183; 2003 c.330 §1]

803.016 Titles in form other than certificate. If title to a vehicle is not to be issued in the form of a certificate, the record of title kept by the Department of Transportation shall include all information required by ORS 803.015. Nothing in this section requires that title issued in a form other than a certificate:

(1) Be numbered as required by ORS 803.015 (1);

(2) Be authenticated as required by ORS 803.015 (7);

(3) Have the space required by ORS 803.015 (8); or

(4) Be produced by a secure process as required by ORS 803.015 (13). [1993 c.233 §16; 2001 c.293 §2; 2003 c.330 §3]

803.020 [1985 c.251 §14a; repealed by 1991 c.873 §53]

803.025 Violating title requirements; penalty. (1) A person commits the offense of violating vehicle title requirements if the

person owns or operates any vehicle in this state for which this state has not issued title.

(2) Exemptions from this section are established by ORS 803.030. The exemptions are subject to ORS 803.040.

(3) The offense described in this section, violating vehicle title requirements, is a Class D traffic violation. [1983 c.338 §176; 1985 c.16 §59; 1985 c.333 §4; 1993 c.233 §17; 1995 c.383 §35]

803.030 Exemptions from title requirement. This section establishes exemptions from the requirements under ORS 803.025 to obtain title issued by this state. The exemptions are subject to ORS 803.040. The exemptions are in addition to any exemptions under ORS 801.026. Vehicles exempted by this section from the requirements to be titled by this state are not prohibited from being titled by this state if titling is permitted under ORS 803.035. The exemptions are partial or complete as provided in the following:

(1) Title from this state is not required for a vehicle unless the vehicle is operated on a highway in this state.

(2) Title from this state is not required unless a vehicle is operated under a registration number of this state.

(3) Snowmobiles, Class I all-terrain vehicles and Class III all-terrain vehicles are not subject to the requirements under ORS 803.025. The requirements and procedures for titling snowmobiles are as provided under ORS 821.060 and 821.070.

(4) Road rollers, farm tractors and traction engines are exempt from the requirements for title.

(5) Trolleys are exempt from the requirements for title.

(6) Bicycles are exempt from the requirements for title.

(7) United States Government owned and operated motor vehicles and trailers are exempt from the requirements for title.

(8) Implements of husbandry, well drilling machinery, emergency fire apparatus providing public fire protection and wheelchairs are exempt from the requirements for title.

(9) Except as provided in subsection (23) of this section, fixed load vehicles are exempt from the requirements for title while operated within the immediate construction project, as described in the governmental agency contract, in the construction or reconstruction of state or county roads, highways or city streets.

(10) Motor vehicles designed to operate at a loaded weight over 8,000 pounds, trailers and equipment are exempt from requirements for title while:

(a) Owned, leased, contracted or requisitioned by the State Forester, State Board of Forestry, their contractors under ORS chapter 477, or the federal government; and

(b) Being used for the purposes of forest protection and fire suppression under ORS chapter 477 or a similar federal statute, including movement of the vehicles to and from the work area.

(11) Farm trailers are exempt from requirements for title when the operation or movement of the vehicle upon the highways is incidental to its use in an agricultural operation.

(12) Golf carts operated under an ordinance adopted under ORS 810.070 are exempt from requirements for title.

(13) Golf carts or similar vehicles are exempt from requirements for title when:

(a) They have not less than three wheels in contact with the ground;

(b) They have an unloaded weight of less than 1,300 pounds;

(c) They are designed to be and are operated at not more than 15 miles per hour; and

(d) They are operated by persons with disabilities.

(14) The nonresident owners of vehicles currently registered and titled in any other country, state or territory may operate such vehicles over the highways of this state without complying with the titling requirements under ORS 803.025. All of the following apply to this subsection:

(a) This subsection only provides an exemption so long as the owner satisfactorily shows that the owner is not a resident of this state or has been a resident of this state for less than 30 days. For the purpose of this paragraph, a person is a resident of this state if the person meets the residency requirements described in ORS 803.200.

(b) The exemption under this subsection applies to vehicles granted exemptions under ORS 802.500, 802.520 or 826.005, unless otherwise provided under paragraph (c) of this subsection.

(c) Except as otherwise provided in this paragraph, a vehicle operated over the highways of this state for compensation or profit must comply with the titling requirements under ORS 803.025 in the same manner as required of nontitled vehicles. The following vehicles are not subject to this paragraph:

(A) Vehicles operated under reciprocal registration exemptions established under ORS 802.500 or 826.005.

(B) Vehicles operated under an exemption established under ORS 802.520.

(C) Vehicles that are proportionally registered under an agreement established under ORS 826.007, and according to the procedures established under ORS 826.009 or 826.011.

(D) Any vehicle if duly registered and titled under the laws of the state or country of which the owner is a bona fide resident to the extent that in the foreign country, state, territory or federal district where the owner resides like exemptions and privileges are granted vehicles duly registered and titled under the laws of this state and owned by residents of this state.

(d) If no exemptions from titling requirements are in effect under ORS 802.500, 802.520, 826.005 or 826.007 with respect to another jurisdiction, any vehicle properly registered and titled in such other jurisdiction and for which evidence of compliance is supplied shall receive, when operated in this state, the same exemptions, benefits and privileges granted by such other jurisdictions to vehicles properly registered and titled in this state. Reciprocity extended under this paragraph shall apply to commercial vehicles only when engaged exclusively in interstate commerce.

(e) Any vehicle operated under dealer registration plates issued by another state, country, province, territory or the District of Columbia is subject to this subsection.

(15) Vehicle dealers issued certificates under ORS 822.020 may use and operate untitled vehicles as provided under ORS 822.040.

(16) Towing businesses issued certificates under ORS 822.205 may tow untitled vehicles as provided under ORS 822.210.

(17) Vehicle transporters issued certificates under ORS 822.310 may transport untitled vehicles as provided in ORS 822.310.

(18) Untitled vehicles may be operated under trip permits described under ORS 803.600 or under permits described under ORS 803.610 to 803.625.

(19) Vehicles that are registered by the United States Department of State and that are owned or operated by foreign nationals with diplomatic immunity are exempt from the requirements for title.

(20)(a) Vehicles that are registered under the proportional registration provisions of ORS chapter 826 and are titled in a jurisdiction other than Oregon are exempt from the requirements for title.

(b) A trailer that is registered under the proportional registration provisions of ORS chapter 826 and titled in a jurisdiction other than Oregon shall remain exempt from the requirements for title in Oregon if the trailer is registered when the other jurisdiction removes its exception to proportional registration requirements for the trailer.

(21) Converter dollies and tow dollies are exempt from the requirements for title.

(22) Electric personal assistive mobility devices are exempt from the requirements for title.

(23) Road machinery that is operated at the direction of a road authority is exempt from the requirements for title. The exemption under this subsection also applies when the operation of road machinery upon a highway or an alley is incidental to its use in a highway maintenance operation. [1983 c.338 §177; 1985 c.16 §60; 1985 c.333 §5; 1985 c.401 §1; 1985 c.459 §3; 1985 c.668 §6; 1987 c.25 §1; 1989 c.43 §17; 1989 c.991 §24; 1991 c.284 §13; 1991 c.459 §438f; 1991 c.477 §1; 1993 c.233 §18; 1995 c.774 §10; 1999 c.361 §1; 1999 c.977 §18; 2001 c.827 §1; 2003 c.341 §3; 2003 c.655 §99; 2007 c.70 §324; 2007 c.845 §1; 2009 c.91 §3]

803.035 Optional titling; rules. (1) The Department of Transportation, by rule, may provide for optional titling of vehicles that are not subject to the vehicle titling requirements under ORS 803.025 or that are exempt from vehicle titling requirements by ORS 803.030. The rules adopted for purposes of this subsection may provide for the titling of categories of vehicles, types of vehicles or otherwise. Upon request of an owner, the department may issue title for a vehicle that meets the requirements of rules adopted under this section.

(2) A vehicle that is issued title under this section is subject to the same provisions, conditions, fees and other requirements for titling as are other vehicles under the vehicle code and is subject to ORS 803.040. [1985 c.333 §2; 1993 c.233 §19]

803.040 Effect of title. (1) If this state has issued title for a vehicle, the vehicle shall remain titled by this state and subject to all of the provisions of the vehicle code relating to vehicles titled by this state until one of the following occurs:

(a) The vehicle becomes legally titled under the laws of another jurisdiction.

(b) The owner of the vehicle establishes that the vehicle is no longer subject to the vehicle titling requirements under the vehicle code by a method recognized or established by the Department of Transportation.

(c) A salvage title is issued for the vehicle.

(2) Subsection (1) of this section applies to a vehicle issued title by this state even if one of the following applies to the vehicle:

(a) At some time after issuance of the title by this state, the vehicle becomes eligible for an exemption from titling requirements under ORS 803.030 or for any other reason.

(b) The issuance of the title was permissive under ORS 803.035.

(c) The vehicle is not required to comply with vehicle titling provisions of the vehicle code for any reason. [1985 c.333 §3; 1991 c.873 §30; 1993 c.233 §20]

803.045 Issuance of title; rules. (1) The Department of Transportation shall issue title for a vehicle if the applicant and the vehicle meet the following qualifications:

(a) The applicant must satisfy the department that the applicant is the owner of the vehicle and is otherwise entitled to have title issued in the applicant's name.

(b) Except as otherwise provided in ORS 803.050 (2), the applicant must submit a completed and signed application for title described in ORS 803.050.

(c) The applicant must pay the fee for issuance of a certificate of title under ORS 803.090 or the fee for issuance of title in another form, as established by the department by rule in accordance with ORS 803.012.

(d) If the vehicle is a reconstructed vehicle or an assembled vehicle, the applicant must provide the following information in addition to any other information required under this section:

(A) The certificate of title last issued for the frame of the vehicle, a salvage title certificate issued for the vehicle or other evidence of ownership satisfactory to the department.

(B) Bills of sale for major components used to build the vehicle.

(e) If the vehicle is covered by an Oregon title or salvage title certificate, the applicant shall surrender the Oregon title or salvage title certificate, submit an application as provided under ORS 803.065 or submit other evidence of ownership satisfactory to the department.

(f) Unless the department adopts rules to the contrary, if the vehicle is from another jurisdiction, the applicant shall surrender to the department with the application the certificate of title issued by the other jurisdiction, if such jurisdiction requires certificates of title. If such jurisdiction does not require certificates of title, then the applicant shall surrender the registration cards.

(g) If required by the department, the applicant must submit proof of ownership as described under ORS 803.205.

(h) Other than a racing activity vehicle as defined in ORS 801.404, if the department has reason to believe a vehicle was not certified by the original manufacturer as conforming to federal vehicle standards, the department may require the applicant to provide proof satisfactory to the department that the vehicle conforms to federal vehicle standards.

(i) Unless the vehicle is exempted from odometer disclosure requirements, the applicant shall submit an appropriate odometer disclosure form. The department shall determine what constitutes an appropriate form in any particular situation. The department may make exceptions by rule to the requirement for submission of an odometer disclosure form.

(2)(a) The department may not issue title for a vehicle:

(A) Required by ORS 803.210 to be inspected unless the vehicle has been inspected as described in ORS 803.212 and the inspection fee paid under ORS 803.215.

(B) If the current vehicle title, certificate or ownership document is a junk title, junk certificate or similar ownership document issued by another jurisdiction, or has a junk or similar brand or notation.

(b) The department may adopt any rules it considers necessary for the administration of this subsection. [1983 c.338 §178; 1985 c.16 §61; 1985 c.402 §7; 1985 c.410 §1; 1987 c.146 §5; 1989 c.148 §9; 1991 c.873 §8; 1993 c.233 §21; 2001 c.675 §7; 2003 c.24 §1; 2003 c.655 §100; 2007 c.693 §4]

803.050 Application; contents. (1) An application for title required under ORS 803.045 shall be in a form specified by the Department of Transportation and shall contain all the following:

(a) A full description of the vehicle, including, but not necessarily limited to, the vehicle identification number.

(b) The name of the owner of the vehicle or other person whose name is to be shown on the title.

(c) The identity of any security interests in order of priority.

(d) The identity of the interest of any lessor.

(e) A disclosure of whether the vehicle is a replica or is specially constructed, reconstructed or assembled. If the title and registration records of the department already indicate that a vehicle is a replica or is specially constructed, reconstructed or assembled, disclosure under this subsection is not required unless the vehicle has been changed since title for the vehicle was last transferred.

(f) If the title application shows a leasehold interest, the lessor shall designate whether the lessor or the lessee is to be shown on the title as the owner of the vehicle.

(g) Any other information required by the department.

(2) Notwithstanding subsection (1) of this section, the department may accept an application that does not contain everything required by this section if the department is satisfied as to the ownership of the vehicle. [1983 c.338 §180; 1985 c.16 §62; 1985 c.251 §15; 1985 c.300 §1; 1985 c.402 §8a; 1987 c.750 §3a; 1989 c.148 §10; 1991 c.551 §2; 1991 c.873 §9; 1993 c.233 §22]

803.055 Delivery of evidence of title; rules. (1) When a certificate of title is issued by this state, the Department of Transportation shall deliver the certificate as follows unless otherwise provided by law:

(a) To the security interest holder with the highest priority.

(b) If there are no security interest holders, to the lessor.

(c) If there are no security interest holders or lessors, to the owner of the vehicle.

(2) When a salvage title certificate is issued by this state, the department shall deliver the certificate to the owner of the vehicle.

(3) The department may determine by rule whether, when, how and to whom titles issued in a form other than a certificate shall be delivered. [1983 c.338 §181; 1985 c.16 §63; 1991 c.873 §31; 1993 c.233 §23]

803.060 Renewal. A title does not require a renewal and is valid until one of the following occurs:

(1) The vehicle is destroyed, dismantled or substantially altered.

(2) Any interest reflected on the title changes. [1983 c.338 §182; 1985 c.316 §1; 1993 c.233 §24]

803.065 Duplicate or replacement certificate; fee; application; rules. (1) The Department of Transportation may issue a duplicate or replacement certificate of title when all of the following occur:

(a) The department is satisfied as to the loss, mutilation or destruction of a certificate of title or salvage title certificate.

(b) The fee for issuance of a duplicate or replacement certificate of title or for a salvage title certificate established under ORS 803.090 is paid.

(2) The department may accept an application for a duplicate or replacement title certificate at the time of any transfer of a vehicle under ORS 803.092. The following apply to this subsection:

(a) The department shall only accept the application if, at the time of transfer, the title certificate is lost, mutilated or destroyed.

(b) When the department accepts an application, the department may accept proof of transfer other than the certificate of title or may accept a certificate of title that has not been completed along with other proof of transfer for purposes of transferring a vehicle under ORS 803.092. The department may accept any proof of transfer under this paragraph that establishes to the satisfaction of the department that the vehicle has been transferred including, but not limited to, statements of release of interest, bills of sale, assignments of interest or other similar proof.

(c) If an application is made under this subsection, the fee for duplicate or replacement title certificate under ORS 803.090 shall be paid in addition to the transfer fee under ORS 803.090.

(d) The department may include the form for application under this subsection as part of the form for transfer of a vehicle or may make the forms separate, as the department finds convenient.

(e) The department is not required by this subsection to issue a duplicate or replacement title before transfer, but may withhold issuance of title until new title is issued upon completion of transfer.

(f) The department may adopt rules to establish procedures and requirements for effecting a transfer under ORS 803.092 when application is made under this subsection at the same time. [1983 c.338 §183; 1985 c.174 §1; 1985 c.300 §2; 1989 c.148 §11; 1991 c.873 §10]

(Offenses)

803.070 False statement in application or assignment; penalty. (1) A person commits the offense of false statement on title or transfer of vehicle if the person knowingly makes any false statement of a material fact in an application for title to a vehicle, in an application for salvage title for a vehicle or in any assignment of title to a vehicle.

(2) The offense described in this section, false statement on title or transfer of vehicle, is a Class A misdemeanor. [1983 c.338 §184; 1985 c.393 §1; 1991 c.873 §32; 1993 c.233 §25; 1993 c.751 §21]

803.075 False swearing prohibited; penalty. (1) A person commits the offense of false swearing relating to titling of vehicles if the person knowingly makes any false affidavit or knowingly swears or affirms falsely to any matter or thing relating to the titling of vehicles under the vehicle code. For purposes of this section, "titling of vehicles" includes, but is not necessarily limited to, matters and things related to salvage titles for vehicles issued by the Department of Transportation.

(2) Penalties relating to submitting a false odometer reading relating to the titling of a vehicle shall be as provided under ORS 815.430.

(3) The offense described in this section, false swearing relating to titling of vehicles,

is a Class A misdemeanor. [1983 c.338 §185; 1985 c.251 §16; 1985 c.393 §2; 1991 c.873 §33; 1993 c.233 §26; 1993 c.751 §22]

803.080 Unlawfully publishing certificate of title forms prohibited; penalty. (1) A person commits the offense of unlawfully publishing certificate of title forms if the person produces in any way, or causes to be produced, without the authority of the Department of Transportation, facsimiles of the blank forms upon which the department issues certificates of title or salvage title certificates.

(2) The offense described in this section, unlawfully publishing certificate of title forms, is a Class C felony. [1983 c.338 §186; 1991 c.873 §34]

803.085 Selling untitled vehicle prohibited; penalty. (1) A person commits the offense of selling an untitled vehicle if the person sells a vehicle without complying with the requirements under ORS 803.025 and 803.045 to obtain a title for the vehicle or the requirements of ORS 819.016 to obtain a salvage title for the vehicle, as appropriate.

(2) The offense described in this section, selling an untitled vehicle, is a Class A misdemeanor. [1983 c.338 §187; 1985 c.393 §3; 1991 c.873 §35; 1993 c.233 §27]

(Fees)

803.090 Fees for transfer and certificate issuance. The following fees are the fees for the transaction described:

(1) The transfer fee under ORS 803.092:

(a) For a salvage title, $27.

(b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, $90.

(c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this subsection, $77.

(2) The fee for issuance of a certificate of title under ORS 803.045:

(a) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, $90.

(b) For vehicles other than vehicles for which the title fee is described in paragraph (a) of this subsection, $77.

(3) The fee for issuance of a salvage title certificate under ORS 803.140, $27.

(4) The fee for issuance of a duplicate or replacement certificate of title under ORS 803.065:

(a) For a duplicate or replacement salvage title certificate, $27.

(b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, $90.

(c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this subsection, $77.

(5) The fee under subsection (4) of this section may not be paid at the same time as a transfer fee under this section if application is made at the same time as application for transfer.

(6) The fee for issuance of a new certificate of title under ORS 803.220 indicating a change of name or address:

(a) For a new salvage title certificate, $27.

(b) For trailers eligible for permanent registration under ORS 803.415 (1) and motor vehicles with a gross vehicle weight rating over 26,000 pounds, excluding motor homes, $90.

(c) For vehicles other than vehicles for which the title fee is described in paragraph (b) of this subsection, $77.

(7) The fee for late presentation of certificate of title under ORS 803.105, $25 from the 31st day after the transfer through the 60th day after the transfer and $50 thereafter.

(8) The fees for title transactions involving a form of title other than a certificate shall be the amounts established by the Department of Transportation by rule under ORS 803.012. [1983 c.338 §188; 1985 c.16 §64; 1985 c.174 §2; 1985 c.300 §3; 1985 c.315 §1; 1987 c.790 §1; 1989 c.148 §12; 1991 c.873 §11; 1993 c.233 §28; 2001 c.669 §7; 2001 c.675 §8; 2003 c.161 §1; 2003 c.618 §1; 2003 c.655 §101; 2009 c.865 §42]

(Transfer of Title or Interest)

803.092 Application for title upon transfer of interest; when and by whom required; exceptions. (1) Except as otherwise provided in this section, upon the transfer of any interest in a vehicle covered by an Oregon title the transferee shall submit an application for title to the Department of Transportation. Such application shall be submitted to the department within 30 days of the date of transfer of interest.

(2) Notwithstanding subsection (1) of this section, application is not required under this section when:

(a) The change involves only a change in the security interest where the security interest holder or lessor is a financial institution, a financial holding company or a bank

holding company, as those terms are defined in ORS 706.008, a licensee under ORS chapter 725, or any subsidiary or affiliate of any of the foregoing and the transfer of the interest of the security interest holder or lessor:

(A) Results from the merger, conversion, reorganization, consolidation or acquisition of the security interest holder or lessor;

(B) Is to an entity that is a member of the same affiliated group as the security holder or lessor; or

(C) Is made in connection with a transfer in bulk.

(b) The vehicle is transferred to a vehicle dealer and the vehicle will become part of the dealer's inventory for resale. Upon the transfer of a vehicle to a dealer, however, the dealer shall immediately notify the department of such transfer. This exemption from the requirement to apply for title does not apply if the department determines that application for title is necessary in order to comply with odometer disclosure requirements. If the department determines that application for title is not required, it may require filing of documents under ORS 803.126.

(c) The vehicle is to be titled in another jurisdiction.

(d) The vehicle has been totaled, wrecked, dismantled, disassembled, substantially altered or destroyed, in which case the provisions of ORS 819.010, 819.012, 819.014 or 822.135 relating to notice and surrender of title documents shall be complied with.

(e) The transfer involves the creation or termination of a leasehold interest in a vehicle that is proportionally registered under ORS 826.009 or 826.011, if the department is furnished with satisfactory proof of the lease.

(3) Except as provided in subsection (2) of this section, the transferee shall:

(a) Submit an application that meets requirements for title under ORS 803.045 and 803.050 and any applicable rules of the department.

(b) Submit the title transfer fees as required under ORS 803.090.

(c) Comply with the provisions of ORS 803.065 and any applicable rules of the department under that statute and submit the duplicate or replacement title fee as provided under ORS 803.090, if the transfer includes an application for duplicate or replacement title and transfer of title.

(d) Submit an odometer disclosure containing information required by the department for the kind of transaction involved.

(e) Submit any late presentation of certificate of title fee as provided under ORS 803.090 if such fee is required under ORS 803.105.

(4) For purposes of this section:

(a) "Affiliated group" has the meaning given to the term in section 1504(a) of the Internal Revenue Code of 1986, as amended (26 U.S.C. 1504(a)).

(b) A "transfer in bulk" is:

(A) The sale or assignment of, the grant of a security interest in, or any other transfer of either a group of loans secured by vehicles, leases of vehicles or both or a participation or other interest in the group of loans;

(B) The creation of asset-backed securities or other securing of assets involving the loans or leases; or

(C) Any similar transaction involving the loans or leases. [1989 c.148 §3; 1989 c.452 §7; 1991 c.67 §212; 1991 c.820 §14; 1991 c.873 §12; 1993 c.233 §29; 1993 c.427 §1; 1997 c.631 §554; 2001 c.377 §53; 2001 c.675 §9; 2003 c.655 §102]

803.094 Release or assignment of title interest; rules; when and by whom required; exceptions. (1) Except as otherwise provided in this section, upon the transfer of any interest shown on an Oregon title any person whose interest is released, terminated, assigned or transferred, shall release or assign that interest in a manner specified by the Department of Transportation by rule. Rules adopted for purposes of this subsection shall be designed, as much as possible, to protect the interests of all parties to the transfer. If required under ORS 803.102, the person shall also complete an odometer disclosure statement.

(2) Notwithstanding subsection (1) of this section:

(a) In the case of a transfer by operation of law of any interest shown on an Oregon title, the personal representative, receiver, trustee, sheriff or other representative or successor in interest of the person whose interest is transferred shall release or assign interest and if required by the department by rule, as provided under ORS 803.102, complete an odometer disclosure statement and shall provide the certificate, if any, and disclosure statement if required to the transferee. The representative or successor shall also provide the transferee with information satisfactory to the department concerning all facts entitling such representative or successor to transfer title. If there is no person to assign interest, the person to whom interest is awarded or otherwise transferred shall be responsible for the requirements of this paragraph.

(b) In the case of a transfer at death of the interest of the owner, lessor or security interest holder if the estate is not being probated and title is not being transferred under the provisions of ORS 114.545, interest may be assigned through the use of an affidavit. The affidavit shall be on a form prescribed by the department and signed by all of the known heirs of the person whose interest is being transferred stating the name of the person to whom the ownership interest has been passed. If any heir has not arrived at the age of majority or is otherwise incapacitated, the parent or guardian of the heir shall sign the affidavit. In the case of a transfer under this paragraph, one of the heirs or any other person designated by the department by rule shall complete any odometer disclosure statement required under ORS 803.102.

(c) In the case of a transfer at death of the interest of the owner, lessor or security interest holder where transfer occurs under the provisions of ORS 114.545, the "affiant" as defined in ORS 114.505 is the person required to assign interest. The department may designate by rule the affiant or any other person to complete any odometer disclosure statement required under ORS 803.102.

(d) Upon the termination of a lease, in lieu of the lessee releasing interest, the lessor may provide information satisfactory to the department that the lease has been terminated. The lessor shall provide an odometer disclosure statement if required under ORS 803.102. If the lessor does not take possession of the vehicle upon termination of the lease, the information in the odometer disclosure given by the lessor may be taken from an odometer disclosure given by the lessee to the lessor under ORS 803.102 unless the lessor has reason to believe that the disclosure by the lessee does not reflect the actual mileage of the vehicle.

(e) A security interest holder or lessor, without the consent of the owner, may assign interest of the holder or lessor in a vehicle to a person other than the owner without affecting the interest of the owner or the validity or priority of the interest. A person not given notice of such assignment is protected in dealing with the security interest holder or lessor as the holder of the interest until the assignee files in accordance with ORS chapter 79. This paragraph does not exempt such assignments from title transfer requirements.

(3) Nothing in this section requires the release or assignment of title upon the creation or termination of a leasehold interest for a vehicle that is proportionally registered under ORS 826.009 or 826.011 if the department is furnished with satisfactory proof of the lease for such vehicle.

(4) The department by rule may allow odometer disclosure statements to be on a form other than the certificate of title.

(5) Persons subject to the provisions of this section shall provide to the transferee a title certificate, if one has been issued and is in their possession, the release or assignment of interest, and any required odometer disclosure statement. If an odometer disclosure statement is required, the transferee shall provide a signed disclosure to the transferor in a form determined by the department by rule. [1989 c.148 §2; 1991 c.67 §213; 1991 c.873 §13; 1993 c.233 §30; 2001 c.675 §10; 2003 c.655 §103]

803.095 [1983 c.338 §189; 1985 c.16 §65; 1985 c.251 §17; 1985 c.300 §4; 1985 c.400 §2; 1985 c.485 §5; 1987 c.750 §4; 1989 c.43 §18; repealed by 1989 c.148 §20]

803.097 Perfection of security interest in vehicle; rules. (1) Except as provided in subsection (5) of this section, the exclusive means for perfecting a security interest in a vehicle is by application for notation of the security interest on the title in accordance with this section. The application may accompany the application for a title or may be made separately at any time prior to issuance of title and must be accompanied by evidence of ownership as defined by the Department of Transportation by rule unless the department is in possession of evidence of ownership when it receives the application. If title to the vehicle has been issued in a form other than a certificate, and the title reflects a security interest, the application for perfection shall include authorization from the previous security interest holder for the new security interest to be recorded on the title. Authorization under this subsection is not required if:

(a) A release of interest is submitted by the prior security interest holder or the department is otherwise satisfied that the prior holder no longer holds an interest or is otherwise not entitled to title to the vehicle;

(b) The security interest is being added to the title in conjunction with the cancellation of previous title or other action the department takes to correct ownership information reflected on a title; or

(c) Title is being transferred by operation of law.

(2) When the department processes an application for a security interest the department shall mark on the application or otherwise indicate on the record the date the application was first received by the department. The department shall determine by rule what constitutes receipt of an application for purposes of this subsection.

(3) If the department has the evidence required by subsection (1) of this section and if the application contains the name of each owner of the vehicle, the name and address of the secured party and the vehicle identification number of the collateral, the security interest is perfected as of the date marked on the application or indicated in the record by the department. If the application does not contain the information required by this subsection, or if the department does not have the required evidence, the department shall indicate on the application or on the record that the date placed on the application or the record pursuant to subsection (2) of this section is not the date of perfection of the security interest.

(4) The security interest remains effective until released or terminated by the secured party.

(5) A security interest in a vehicle may not be perfected as described under this section but is subject to the perfection provisions under ORS chapter 79 if the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale or lease. [1987 c.750 §2; 1989 c.148 §13; 1993 c.233 §31; 2001 c.445 §184; 2001 c.675 §11a; 2003 c.655 §104]

803.098 Certain transactions that do not create security interest. Notwithstanding any other provision of law, in the case of motor vehicles or trailers, a transaction does not create a sale or security interest merely because it provides that the rental price is permitted or required to be adjusted under the agreement either upward or downward by reference to the amount realized upon sale or other disposition of the motor vehicle or trailer. [1993 c.646 §25]

803.100 Application of Uniform Commercial Code. (1) Except as provided in subsection (2) of this section, the rights and remedies of all persons in vehicles subject to security interests established under ORS 803.097 are determined by the provisions of the Uniform Commercial Code.

(2)(a) If perfection of a security interest in a vehicle occurs on or before 30 days after attachment of the security interest, the secured party takes priority over the rights of a transferee in bulk or a lien creditor that arise between the time the secured party's interest attaches and the time of perfection of the security interest.

(b) This subsection applies to any security interest in a vehicle that is not a purchase money security interest. [1983 c.338 §190; 1985 c.16 §66; 1989 c.148 §14; 1999 c.818 §3; 2001 c.675 §12; 2003 c.655 §105; 2005 c.261 §1]

803.102 Odometer disclosure statement upon transfer of interest; when required; rules. (1) As used in this section:

(a) "Transferee" means any person to whom ownership of a motor vehicle is transferred by purchase, gift or any other means other than by creation of a security interest and any person who, as an agent, signs an odometer disclosure statement for the transferee.

(b) "Transferor" means any person who transfers ownership of a motor vehicle by sale, gift or any means other than by creation of a security interest and any person who, as an agent, signs an odometer disclosure statement for the transferor.

(2) Except as otherwise provided in this section, upon transfer of any interest in a motor vehicle, an odometer disclosure statement shall be made by the transferor to the transferee. The disclosure shall be in a form that complies with the provisions of ORS 803.120 and shall contain the information required under ORS 803.122.

(3) If a transfer requiring a disclosure statement involves a leased vehicle, the lessor shall notify the lessee that the lessee is required to provide odometer disclosure. The lessee shall furnish the lessor with a form that complies with the requirements of ORS 803.120 and shall provide the information required by ORS 803.122 except that for purposes of the required information, the lessee shall be considered the transferor, the lessor shall be considered the transferee and the date shall be the date of the disclosure statement.

(4) Where an interest in a vehicle is transferred by operation of law, the Department of Transportation shall determine by rule whether an odometer disclosure statement is required and if so, who is required to provide it.

(5) The odometer disclosure requirements of this section do not apply upon transfer of an interest where the transfer is due solely to the creation, release or assignment of a security interest, or upon transfer of an interest in any of the following:

(a) A vehicle with a gross vehicle weight rating of more than 16,000 pounds.

(b) A vehicle that is not self-propelled.

(c) A vehicle that is at least 10 years old.

(d) A vehicle that is sold directly by the manufacturer to any agency of the United States in conformity with contractual specifications.

(e) A vehicle that is exempted from the requirement by rules of the department. [1989 c.148 §4; 1991 c.67 §214; 1991 c.873 §1]

803.103 Vehicle identification number check. (1) With every vehicle title transfer, the Department of Transportation shall check the vehicle identification number or

numbers on the vehicle title or other primary ownership records against those listed as stolen by the Law Enforcement Data System. If the check indicates the vehicle is stolen, the department:

(a) Shall immediately notify the Oregon State Police or, if the department determines it would be appropriate to do so, notify another law enforcement agency; and

(b) Shall not issue title within 30 days of giving the notice required by paragraph (a) of this subsection unless the department is notified before the end of the 30 days that the vehicle is not stolen. After the passage of the 30-day period, the department may issue the title.

(2) The department may issue title to a vehicle that is listed as stolen without giving the notice required by of subsection (1)(a) of this section if the department is satisfied that the applicant for title is the person from whom the vehicle was stolen or is the insurer of that person.

(3) The department may check with the National Crime Information Center and the Law Enforcement Data System for information about vehicles in situations other than those specified in ORS 803.212 and subsections (1) and (2) of this section if the department determines that it is appropriate to do so. [1991 c.576 §§3,4; 1993 c.233 §32]

803.105 Failure to deliver documents on transfer; late fee; penalty. (1) Except as provided in ORS 803.092, a person commits the offense of failure to deliver vehicle documents on transfer of a vehicle for which the Department of Transportation has issued a certificate of title if the person does not comply with any of the following:

(a) Upon transfer of title or any interest in a vehicle, the transferee shall present the certificate of title to the department within 30 days after the transfer. This paragraph does not apply to a vehicle dealer. If the transfer arises from the sale of a vehicle, a transferee who presents the certificate more than 30 days after the transfer shall pay the fee for late presentation of certificate of title established in ORS 803.090. However, the fee for late presentation does not apply if the transferee proves to the satisfaction of the department that:

(A) The transferee made a good faith effort to obtain title; or

(B) Failure to comply was for a reason beyond the control of the transferee.

(b) Upon transfer of title or any interest in a vehicle to a vehicle dealer, the vehicle dealer shall immediately notify the department that the vehicle has been transferred to the dealer.

(c) Upon creation of a leasehold interest in a vehicle, the lessor or holder shall present the certificate of title to the department within 30 days of the transfer. This paragraph does not apply to the creation of leasehold interests in vehicles that are proportionally registered under ORS 826.009 or 826.011.

(d) Upon termination of a leasehold interest, the lessor shall cause the certificate of title to be delivered to the department within 30 days of the termination. This paragraph does not apply to the termination of leasehold interests in commercial vehicles that are proportionally registered under ORS 826.009 or 826.011.

(e) Upon creation of a leasehold interest in vehicles that are proportionally registered under ORS 826.009 or 826.011, the lessee shall furnish the department with satisfactory proof of the lease.

(f) Upon the creation of a security interest in a vehicle where the owner or lessor is in possession of a certificate of title, the owner or lessor, if there is a lease, shall deliver the certificate to the person in whom the security interest was created. This paragraph does not apply upon the creation of a security interest where the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale.

(g) Upon the creation of a security interest in a vehicle where a prior security interest holder is in possession of the certificate of title, the owner or lessor, if there is a lease, shall either provide for the delivery of the certificate of title to the person in whom the security was created or arrange for direct delivery by the prior security interest holder to the department. This paragraph does not apply upon the creation of a security interest where the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale.

(h) Notwithstanding paragraph (a) of this subsection, upon creation of a security interest in a vehicle, a person in whom a security interest was created and who receives a certificate of title showing the interest from the person granting the security interest shall present the certificate of title to the department within 30 days after receiving the certificate of title.

(i) Within 15 calendar days of satisfaction of a security interest in a vehicle, the security interest holder affected:

(A) If in possession of the certificate of title, shall deliver the certificate of title and the release contained thereon to the security

interest holder next named, if any, otherwise to the lessor or, if none, to the owner.

(B) If not in possession of the certificate of title, shall deliver a release to the person entitled thereto.

(j) Upon receipt of a release of a security interest in a vehicle by a person who is not in possession of the certificate of title, the person shall promptly deliver the release to the holder of the certificate of title. This paragraph does not apply to release of a security interest in vehicles where the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale.

(k) Notwithstanding paragraph (a) of this subsection, upon satisfaction of a security interest in a vehicle, the holder of the certificate of title and the release shall present both to the department within 30 days after the date of the release. This paragraph does not apply upon release of a security interest in vehicles where the debtor who granted the security interest is in the business of selling vehicles and the vehicle constitutes inventory held for sale.

(2) The offense described in this section, failure to deliver vehicle documents on transfer of interest in a vehicle, is a Class D traffic violation. [1983 c.338 §191; 1985 c.16 §67; 1985 c.315 §2; 1985 c.485 §4; 1987 c.750 §5; 1989 c.43 §19; 1989 c.148 §15; 1989 c.452 §5; 1991 c.284 §14; 1993 c.18 §167; 1993 c.233 §33]

803.106 Failure to deliver information on transfer of Oregon-titled vehicle for which there is no title certificate; penalty. (1) A person commits the offense of failure to deliver information on transfer of a vehicle for which the Department of Transportation has issued title in a form other than a certificate if the person does not comply with rules adopted by the department concerning the information to be delivered.

(2) Nothing in this section authorizes the department to adopt rules requiring compliance with this section by persons who would be exempt from compliance with ORS 803.105 even if they had been issued certificates of title by the department.

(3) The offense described in this section, failure to deliver information on transfer of a vehicle, is a Class D traffic violation. [1993 c.233 §35]

803.108 Effect of tax lien on transfer of vehicle. If the ownership of a motor vehicle subject to the lien provided for by ORS 319.700 is transferred, whether by operation of law or otherwise, the Department of Transportation shall not issue, to the transferee or person otherwise entitled thereto, a registration card or title with respect to such motor vehicle until the department has determined that the lien has been removed. Implements of husbandry are not subject to this section by virtue of exemption under ORS 319.520 from the lien provided for by ORS 319.700. [Formerly 803.115]

803.110 [1985 c.485 §3; repealed by 1989 c.148 §20]

(Transferor Notice)

803.112 Notice of transfer of interest in vehicle; rules; exemptions. (1) Except as otherwise provided in this section, the transferor of an interest in a vehicle covered by an Oregon title shall notify the Department of Transportation of the transfer within 10 days of the date of transfer. The notice shall be in a form determined by the department by rule.

(2) For purposes of giving notice under this section, if the transfer occurs by operation of law, the personal representative, receiver, trustee, sheriff or other representative or successor in interest of the person whose interest is transferred shall be considered the transferor.

(3) The requirements of this section do not apply upon creation, termination or change in a security interest or a leasehold interest or upon award of ownership of a motor vehicle made by court order.

(4) A vehicle dealer is exempt from the notice requirement of this section if the dealer:

(a) Transfers the vehicle to another dealer; or

(b) Submits an application for title to the vehicle on behalf of the buyer of the vehicle.

(5) Notification provided under this section is for informational purposes only and does not constitute an assignment or release of any interest in the vehicle. [1995 c.516 §2; 2003 c.121 §1]

803.113 Department action upon receipt of notice under ORS 803.112; rules. (1) Except as otherwise provided by rule of the Department of Transportation under subsection (3) of this section, upon receipt of a notification of transfer described in ORS 803.112, the department shall make a notation on its records indicating that it has received notification that an interest in the vehicle has been transferred. The notation shall be made whether or not the form submitted to the department contains all the information required by the department under ORS 803.112, so long as there is sufficient information to identify the vehicle. Thereafter, until a new title is issued, when the department is asked to provide the name of the owner of a vehicle as shown on its records, the department shall provide the name of the transferor and indicate that department re-

cords show a notification of transfer but do not show a title transfer. The department shall also provide the name of the transferee if it is shown on the form submitted by the transferor under ORS 803.112.

(2) Whenever the Oregon Vehicle Code or other statute requires notice to the owner of a motor vehicle, the person required to provide notice shall provide the notice to the current owner as shown on the records of the department and to any transferee shown as a result of notification to the department under ORS 803.112.

(3) The department may adopt rules for the implementation of ORS 803.112 and this section. Rules shall be designed to allow the department to implement ORS 803.112 and this section in a way that is efficient and convenient for the public and the department. Rules under this section may include, but need not be limited to, rules authorizing the department to remove information recorded under this section, specifying circumstances under which information submitted need not be recorded and specifying circumstances under which the department provides a receipt of notification that an interest in a vehicle has been transferred. [1995 c.516 §3; 2003 c.121 §2; 2009 c.579 §2]

803.114 Knowingly submitting false notice of transfer; penalty. (1) A person commits the offense of knowingly submitting false notice of transfer if the person submits a notice of transfer of an interest in a vehicle as described in ORS 803.112 to the Department of Transportation and the person knows that the interest in the vehicle has not been transferred.

(2) The offense described in this section, knowingly submitting false notice of transfer, is a Class C misdemeanor. [1995 c.516 §4]

803.115 [1983 c.338 §192; 1989 c.992 §30; 1993 c.233 §36; renumbered 803.108 in 1997]

803.116 Knowingly submitting false information about transfer of interest in vehicle; penalty. (1) A person commits the offense of knowingly submitting false information about transfer of a vehicle if the person submits a notice of transfer of an interest in a vehicle as described in ORS 803.112 to the Department of Transportation and the person knows that some or all of the information contained in the notice is false.

(2) The offense described in this section, knowingly submitting false information about transfer of a vehicle, is a Class C misdemeanor. [1995 c.516 §5]

803.117 Effect of notice of transfer on civil and criminal liability. A transferor who has delivered possession of a vehicle to a transferee may not, by reason of any of the provisions of the Oregon Vehicle Code, be subject to civil liability or criminal liability for the parking, abandoning or operation of the vehicle by another person when the transferor has:

(1) Notified the Department of Transportation of the transfer; and

(2) Assigned the title to the transferee. [1995 c.516 §6; 1997 c.249 §275; 2003 c.121 §3; 2009 c.579 §1]

(Odometer Disclosure)

803.120 Odometer disclosure; contents of form. (1) When an odometer disclosure is required by statute or by the Department of Transportation, the disclosure shall be in a form required by the department by rule. The department may require different forms of disclosure for different situations and may require different information to be disclosed for different purposes.

(2) Any form authorized by the department for use as an odometer disclosure upon transfer of an interest in a vehicle shall refer to the federal law requiring disclosure of odometer information and shall state that failure to complete the disclosure form, or providing false information on the form, may result in a fine or imprisonment.

(3) Any form authorized by the department for use as an odometer disclosure upon transfer of an interest in a vehicle shall provide a way for the transferor to indicate, to the best of the transferor's knowledge, which of the following is true:

(a) That the odometer reading reflects the actual mileage of the vehicle;

(b) That the odometer reading reflects an amount of mileage in excess of the designed mechanical odometer limit; or

(c) That the odometer reading does not reflect actual mileage and should not be relied on.

(4) An odometer disclosure required upon transfer of an interest in a vehicle shall be made on the vehicle title unless the department provides otherwise by rule. [1991 c.873 §3]

803.122 Information required; rules. (1) When an odometer disclosure is required at time of transfer of a vehicle, the transferee and the transferor shall both sign the odometer disclosure form and the transferor shall provide as much of the following as is required by the Department of Transportation by rule:

(a) The odometer reading at the time of transfer, excluding tenths of miles.

(b) The date of transfer.

(c) The transferor's name, which shall be printed, and current address.

(d) The transferee's name, which shall be printed, and current address.

(e) The identity of the vehicle, including its make, model, year and body type and the vehicle identification number.

(f) Any other information that the department determines by rule would further the purposes of the odometer disclosure requirements.

(2) In addition to providing the information required by subsection (1) of this section, the transferor shall indicate, in a manner determined by the department, which of the statements described in ORS 803.120 (3) is accurate. [1991 c.873 §4]

803.124 Rules for issuance of forms; agreements for provision of forms; fee. (1) The Department of Transportation may adopt rules providing for issuance of any forms it considers necessary or convenient for assigning or conveying interests in vehicles and any forms it considers necessary or convenient for providing required odometer disclosures. The authority granted by this section includes, but is not necessarily limited to, authority to enter into agreements authorizing others to provide the forms authorized by this section to the public.

(2) The department may establish fees for providing forms authorized by this section. Fees shall be designed to recover the cost of producing and providing the forms. An agreement entered into by the department for the purpose of providing forms authorized by this section to the public may provide for a fee to be charged by the person providing the forms. [1991 c.873 §6]

803.126 Odometer disclosure without title application; fee. (1) The Department of Transportation by rule may allow the filing of documents related to odometer disclosure without an accompanying application for issuance or transfer of title. The department may determine situations in which such documents may be filed and what documents are acceptable.

(2) A person filing an odometer disclosure statement under this section shall pay a fee of $4. [1991 c.873 §6a]

(Transitional Ownership Records)

803.130 Purpose of record. The purpose of a transitional ownership record is to enable security interests to be perfected in a timely manner when the primary ownership record is not available. [1989 c.927 §7; 1993 c.233 §41]

803.132 Circumstances under which transitional ownership record acceptable as ownership record. A transitional ownership record is acceptable as an ownership record only if the primary ownership record is not in the possession of the selling dealer, new security interest holder or the agent of either at the time the transitional ownership record is submitted to the Department of Transportation. [1989 c.927 §8; 1993 c.233 §42; 1995 c.309 §1; 1999 c.818 §1]

803.134 Fee. A person submitting a transitional ownership record to the Department of Transportation shall pay a fee of $13 to the department. The fee shall be paid at the time of submission of the record unless the department by rule establishes alternative payment methods. [1989 c.927 §6; 1993 c.233 §43]

803.136 Mandatory rejection, return or invalidation of record by department. The Department of Transportation shall reject, return or subsequently invalidate a transitional ownership record if:

(1) More than 30 days have elapsed between the date of sale or if no sale is involved, the date the contract or security interest being perfected was signed and the date the transitional ownership record is received by the department;

(2) The transitional ownership record does not contain all of the information specified in ORS 801.562;

(3) It is determined that persons named on the transitional ownership record as having a security interest did not have a security interest on the date the transitional ownership record was received;

(4) It is determined the person who submitted the transitional ownership record made false statements in completing the transitional ownership record;

(5) The department does not receive the primary ownership record within 90 days from the date of sale or if no sale is involved, from the date the security agreement or contract was signed;

(6) The security interest holder or person submitting the transitional ownership record elects to retain it, requests it be returned or requests that the transitional ownership record be withdrawn; or

(7) The information on or in the transitional ownership record has been changed or altered in a manner that is not acceptable to the department. [1989 c.927 §9; 1993 c.233 §44; 1995 c.309 §2; 1999 c.818 §2; 2005 c.261 §2]

803.138 Discretionary rejection, return or invalidation of record by department. The Department of Transportation may reject, return or subsequently invalidate a transitional ownership record if:

(1) It is determined that title is to be issued to someone other than the person shown on the transitional ownership record;

(2) Interests reflected on the primary ownership record or in information submitted in conjunction with that record conflict with the interests as reflected on the transitional ownership record; or

(3) The person submitting the transitional ownership record has failed to submit the fee required by ORS 803.134 or to comply with an alternative payment method established by the department under ORS 803.134. [1989 c.927 §10; 1993 c.233 §45]

(Salvage Titles)

803.140 Application; certificate; rules. (1) When a person is required by the provisions of ORS 819.016 to apply for a salvage title for a vehicle, the application shall be in a form acceptable to the Department of Transportation and shall contain any information required by the department by rule. Rules adopted by the department may include, but need not be limited to, provisions for accepting an application under this section that does not contain all the information otherwise required, if the department is satisfied as to ownership of the vehicle.

(2) The department may design a salvage title certificate for vehicles and by rule may prescribe the contents of the certificate. A salvage title certificate shall be produced by a secure process that meets or exceeds the requirements of federal law.

(3) The department may issue a salvage title certificate to a person who submits an application that meets the requirements imposed by the department under this section and submits the fee required under ORS 803.090.

(4) The department may adopt any rules it considers necessary for the administration of the salvage title process. The rules may include, but need not be limited to, rules specifying:

(a) Permissible uses of a salvage title certificate.

(b) Requirements for replacement or surrender of a salvage title certificate or for issuance of a new certificate.

(c) Records that will be kept by the department.

(d) Forms of salvage title other than certificates. [1991 c.873 §28; 1993 c.233 §37]

PROVISIONS APPLICABLE TO BOTH TITLE AND REGISTRATION

(Generally)

803.200 Residency; criteria; exception; camper on vehicle. This section establishes when the exemptions under ORS 803.030 and 803.305 from titling and registration of vehicles owned by nonresidents are applicable. The applicability of the described exemptions for nonresident owners of vehicles is subject to all of the following:

(1) A person is a resident of this state for purposes of titling and registering vehicles if the person engages in any gainful employment in this state or takes any action to indicate the acquiring of residence in this state during the period of sojourn in this state by doing any of the following:

(a) Remaining in this state for a consecutive period of six months or more regardless of the domicile of the person.

(b) Placing children in a public school without payment of nonresident tuition fees.

(c) Making a declaration to be a resident of this state for the purpose of obtaining, at resident rates, a state license or tuition fees at an educational institution maintained by public funds.

(d) Maintaining a main office, branch office or warehouse facilities in this state and operating motor vehicles in this state.

(e) Operating motor vehicles in intrastate transportation for compensation or profit for other than seasonal agricultural work.

(2) Notwithstanding subsection (1) of this section, private passenger motor vehicle owners who are bona fide residents of states adjoining this state shall be permitted to operate their vehicles in this state for so long as such motor vehicles remain currently registered and titled in an adjoining state.

(3) A camper on a motor vehicle described in this section shall be subject to registration or titling under the vehicle code at the same time that such motor vehicle becomes subject to registration and titling under this section.

(4) Notwithstanding subsection (1) of this section, a person who is gainfully employed in this state shall not be considered a resident of the state if the person has taken no other steps to become a resident. This subsection applies, but is not limited, to a student at an educational institution who is paying nonresident tuition rates. [1983 c.338 §198; 1993 c.751 §87]

803.205 Proof of ownership or security interest on transfer or application for title or registration; affidavit. (1) The Department of Transportation may require proof under this section if the department determines the proof is necessary to resolve questions concerning vehicle ownership or undisclosed security interests in the transfer of any vehicle under ORS 803.092, in an application for issuance of title under ORS 803.045 or in an application for registration of a vehicle under ORS 803.350.

(2) Under this section, the department may require any proof sufficient to satisfy the department concerning the questions about the ownership of the vehicle or security interests in the vehicle. The proof required by the department may include, but is not limited to, completion of an affidavit that:

(a) Is in a form required by the department by rule;

(b) Contains any information the department requires by rule as necessary to establish ownership of the vehicle or to determine any security interests in the vehicle; and

(c) Is verified by the person making the affidavit.

(3) The department is not liable to any person for issuing title or registering a vehicle based on proof provided under this section.

(4) Nothing in this section affects any power of the department to refuse to issue or to revoke title or registration. [1983 c.338 §199; 1989 c.148 §16; 1993 c.233 §38; 2001 c.675 §13; 2003 c.655 §106]

803.207 Expedited titling and registration; fee. (1) The Department of Transportation by rule may establish procedures for providing expedited services related to the titling and registration of vehicles when such services are needed because of problems related to odometer disclosure requirements. This authority is in addition to the department's authority to provide expedited services for other reasons on an individual case basis.

(2) The department may charge a fee of not more than $10 for providing expedited services authorized by this section. [1991 c.873 §5]

803.210 Conditions precedent to issuance of title for certain vehicles. (1) The Department of Transportation shall not issue title for a vehicle described in subsection (2) of this section unless:

(a) An inspection of the vehicle identification number or numbers of the vehicle is performed in accordance with ORS 803.212; and

(b) The fee established under ORS 803.215 is paid to the department for the inspection.

(2) Except as provided in subsection (3) of this section, the requirements of this section apply to all of the following:

(a) A vehicle from another jurisdiction.

(b) Any assembled or reconstructed vehicle.

(c) Any vehicle if the certificate of title has been or is required to be submitted to the department, or a person is required to report to the department, under ORS 819.010, 819.012, 819.014 or 819.030.

(d) Any vehicle if the department has received notice that the vehicle has been or will be wrecked, dismantled, disassembled or substantially altered under ORS 819.010 or 822.135.

(e) Replicas.

(f) Other than a racing activity vehicle as defined in ORS 801.404, any vehicle the department has reason to believe was not certified by the original manufacturer as conforming to federal vehicle standards.

(3) The requirements of this section do not apply to the following vehicles if the person shown as the owner on an out-of-state title for the vehicle applies for an Oregon title in that person's name:

(a) A rental truck, rental truck tractor or rental trailer that is registered in Oregon under an interstate agreement that provides that a portion of the owner's fleet is to be registered in each state in which the fleet operates.

(b) A trailer or semitrailer that has permanent registration. [1983 c.338 §200; 1985 c.16 §71; 1985 c.402 §9; 1985 c.410 §2; 1987 c.146 §2; 1991 c.820 §15; 1993 c.174 §8; 1993 c.233 §39; 2003 c.655 §107; 2007 c.693 §5]

803.212 Inspection of vehicle identification numbers; product identification numbers. (1) The Department of Transportation, or persons or agencies authorized to do so by the department, shall conduct a physical inspection of the vehicle identification number or numbers of each vehicle located in this state and required by ORS 803.210 to be inspected. The department may designate certified dealers to perform the inspection and may enter into agreements with the Oregon State Police or other law enforcement agencies of this state to perform inspections. The inspection shall determine whether the vehicle identification number or numbers match those on the records of the department, on the title or primary ownership record or contained in other information received by the department.

(2) If a vehicle that is required by ORS 803.210 to be inspected is located in another jurisdiction, the department may designate a person or agency in such jurisdiction to perform the physical inspection and may waive the inspection fee.

(3) Except as provided in subsection (4) of this section, the department shall check the vehicle identification number or numbers of all vehicles required by ORS 803.210 to be inspected against those listed as stolen at the National Crime Information Center. If the check indicates the vehicle is stolen, the department:

(a) Shall immediately notify the Oregon State Police or, if the department determines it would be appropriate to do so, notify another law enforcement agency; and

(b) Shall not issue title within 30 days of giving the notice required by paragraph (a) of this subsection unless the department is notified before the end of the 30 days that the vehicle is not stolen. After the passage of the 30-day period, the department may issue the title.

(4) The department may refer a vehicle to the Oregon State Police or other appropriate law enforcement agency for a vehicle identification number or product identification number inspection if:

(a) Inspection of the vehicle under this section reveals that the vehicle identification number or product identification number on the vehicle is different from the number provided to the department or appears to have been tampered with, altered or defaced; or

(b) The vehicle is a reconstructed or assembled vehicle or has been reported destroyed or totaled under ORS 819.012, 819.014 or 819.030 or is any other salvaged vehicle from another jurisdiction. This subsection does not apply to a vehicle that has been reported totaled to the department because of theft and has subsequently been recovered.

(5) If the department refers a vehicle to a law enforcement agency under subsection (4) of this section, the law enforcement agency shall inspect the vehicle. If the law enforcement agency determines that there is reason to believe that the identification number of the vehicle has been tampered with, altered or forged or that the vehicle is stolen, the law enforcement agency may seize the vehicle and may hold the vehicle until completing an investigation to establish the origin and ownership of the vehicle. The department shall reimburse the Department of State Police, and may reimburse any other law enforcement agency, for any inspections conducted under this subsection in an amount agreed upon by the department and the Department of State Police or other law enforcement agency. [1987 c.146 §4; 1991 c.576 §1; 1991 c.820 §16; 1993 c.233 §40a; 1993 c.751 §23; 2007 c.693 §6]

803.215 Fee for inspection. A fee of $7 shall be charged for an inspection of a vehicle required by ORS 803.210. [1983 c.338 §201; 1985 c.736 §1; 1987 c.146 §6; 1987 c.790 §2; 2003 c.618 §47]

803.217 Transfer of title and registration for vehicles abandoned by tenant; rules. The Department of Transportation shall adopt rules to provide for the transference of a certificate of title and registration for titled vehicles and recreational vehicles that are abandoned by a tenant as defined in ORS 90.100. [1997 c.577 §43; 2003 c.655 §108]

803.219 Limitation on car rental fees. (1) As used in this section:

(a) "Car rental company" means a person whose primary business is renting motor vehicles to consumers under rental agreements for periods of 90 days or less.

(b) "Motor vehicle" has the meaning given that term in ORS 801.360.

(2) A car rental company may not impose in a rental agreement a surcharge for the purpose of covering the costs of titling and registering a rental motor vehicle that is greater than the amount reasonably calculated to cover the costs incurred by the car rental company to title and register the rental motor vehicle. [2009 c.865 §29]

Note: 803.219 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 803 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

(Offenses)

803.220 Notification to department of name or address change; rules; requirements; procedure; exception; penalty. (1) A person commits the offense of unlawful failure to notify the Department of Transportation of a name or address change if the person:

(a) Has any interest in a vehicle registered or titled by this state that is shown on the title;

(b) Changes names, by marriage or otherwise, from that shown on the title or changes the person's address from that shown on the registration; and

(c) Does not comply with the requirements under this section.

(2) To comply with the requirements of this section, a person must do all the following:

(a) The person must notify the department of the change. Notice of a change of name or address must be given to the department within 30 days of the change, in a manner authorized by the department by rule.

(b) If the person changes names, by marriage or otherwise, from that shown on the title and a certificate of title is being held by a security interest holder, the person must notify the security interest holder within 30 days after the change who, in turn, must notify the department in a timely manner.

(c) Any time the name is changed from that on the title, any certificate of title that has been issued must be submitted to the department with the notice and the appropriate fee under ORS 803.090.

(3) A person may obtain a new certificate of title reflecting a change of name or address by making application therefor and paying the appropriate fee under ORS 803.090.

(4) If title has been issued in a form other than a certificate, a person requesting a change in name shall provide authorization from the primary security interest holder, if any, to have the title changed. If the authorization is not received, the department shall continue to reflect the previous name on the title. Nothing in this subsection precludes the department from including the new name in records maintained in conjunction with title whether or not authorization is received.

(5) Upon receipt of notice of a change and any authorization required under this section, the department shall note the change in its records. Upon receipt of the notice and the fee required under ORS 803.090, the department shall issue a new certificate of title indicating the change.

(6) This section does not apply to a change of name or address of a security interest holder or lessor that is a financial institution, a financial holding company or a bank holding company, as those terms are defined in ORS 706.008, a licensee under ORS chapter 725, or any subsidiary or affiliate of any of the foregoing.

(7) The offense described in this section, unlawful failure to notify the department of a name or address change, is a Class D traffic violation. [1983 c.338 §202; 1985 c.16 §72; 1985 c.485 §1; 1989 c.452 §6; 1993 c.233 §46a; 1993 c.751 §88; 1995 c.383 §36; 1997 c.631 §555; 2001 c.377 §54; 2003 c.129 §1]

803.225 Failure to designate replica, reconstructed, assembled or specially constructed vehicle in title or registration application; penalty. (1) A person commits the offense of failure to designate a replica or a reconstructed, assembled or specially constructed vehicle if the person makes application for the titling or registration of a vehicle that is a replica or a reconstructed, assembled or specially constructed vehicle and that fact is not indicated in the application.

(2) The offense described in this section, failure to designate a replica, reconstructed, assembled or specially constructed vehicle in application for title or registration, is a Class B misdemeanor. [1983 c.338 §203; 1985 c.393 §4; 1985 c.402 §10; 1993 c.233 §47]

803.230 Forging, altering or unlawfully producing or using title or registration; penalty. (1) A person commits the offense of forging, altering or unlawfully producing or using vehicle titles or registration if the person does any of the following:

(a) Alters or forges or causes to be altered or forged any certificate of title, certificate of registration or assignment thereof issued by the Department of Transportation.

(b) Holds or uses certificate of title, certificate of registration or assignment thereof issued by the department knowing the certificate or assignment has been altered or forged.

(c) Unless authorized by the department, prints or produces or causes to be printed or produced any certificate of title, certificate of registration or any assignment thereof required by the department.

(d) Holds or uses any certificate of title, certificate of registration or assignment thereof required by the department knowing that it has been printed or produced without authority from the department.

(2) The offense described in this section, forging, altering or unlawfully producing or using vehicle titles or registration, is a Class C felony. [1983 c.338 §204; 1985 c.16 §73; 1991 c.407 §22; 1995 c.733 §83]

REGISTRATION

(Generally)

803.300 Failure to register; penalty. (1) A person commits the offense of failure to register a vehicle if the person owns a vehicle in this state and the person does not register the vehicle in this state.

(2) In addition to other persons subject to this section, this section applies to out-of-state corporations owning, operating or maintaining a place of business in this state with regard to vehicles that are used by the corporation doing business in this state.

(3) Exemptions from this section are established under ORS 803.305.

(4) The offense described in this section, failure to register a vehicle, is a Class D traffic violation. [1983 c.338 §205; 1985 c.16 §74; 1985 c.401 §4; 1995 c.383 §37]

803.305 Exemptions from general registration requirements. This section establishes exemptions from the requirements under ORS 803.300. The exemptions under this section are in addition to any exemptions under ORS 801.026. Vehicles exempted by this section from the requirements to be registered by this state are not prohibited from being registered by this state if registration is permitted under ORS 803.310. The following are exempt, either partially or completely as described, from the registration requirements under ORS 803.300:

(1) Road rollers, farm tractors, trolleys and traction engines are exempt from registration.

(2) Bicycles are exempt from registration.

(3) A vehicle is exempt from registration if it has registration issued for the vehicle by the Armed Forces of the United States where the registration is issued in a foreign country to a vehicle owned by a member of the Armed Forces. The exemption granted by this subsection applies only for a period of 45 days from the time the vehicle is returned to the United States.

(4) A vehicle is exempt from registration if it is not operated on the highways of this state.

(5) A trailer is exempt from registration if it is equipped with pneumatic tires made of elastic material and is not operated in this state with a loaded weight of more than 1,800 pounds. A trailer for hire, travel trailer or camper is not exempt by this subsection.

(6) Vehicles owned and operated by the United States Government are exempt from registration.

(7) Snowmobiles are subject to the requirements for registration provided under ORS 821.080 to 821.110.

(8) Implements of husbandry, well drilling machinery, emergency fire apparatus providing public fire protection and wheelchairs are exempt from registration.

(9) Road graders, farm tractors and farm trailers on highways are exempt from registration when the operation of the vehicle upon the highway is incidental to its use in an agricultural operation.

(10) Except as provided in subsection (26) of this section, fixed load vehicles are exempt from registration while the vehicles are operated:

(a) In the construction or reconstruction of state or county roads, highways or city streets; and

(b) Within the immediate construction projects, as described in the governmental agency contract under which the work is being performed.

(11) Motor vehicles designed to operate at a loaded weight over 8,000 pounds, trailers and equipment are exempt from registration while being used for the purposes of forest protection and fire suppression under ORS chapter 477 or a similar federal statute. The exemption under this subsection applies to the vehicles or equipment described while being moved to or from the work area. The exemption under this subsection only applies to vehicles or equipment owned, leased, contracted for or requisitioned by the State Forester or State Board of Forestry, a contractor of the State Forester or State Board of Forestry under ORS chapter 477 or the United States Government.

(12) Vehicles being used for the purposes of forest protection and fire suppression are exempt if the vehicles are necessary in order to comply with ORS 477.615 or 477.650 or a similar federal statute. The exemption under this subsection also applies to the vehicles described being moved to or from the work area.

(13) Golf cart exemptions from registration are as provided in ORS 820.210.

(14) Vehicles currently registered and titled in any other country, state or territory are not required to be registered by this state. All of the following apply to this subsection:

(a) This subsection only provides an exemption as long as the owner of the vehicle satisfactorily shows that the owner is not a resident of this state or has been a resident of this state for less than 30 days. For the purpose of this paragraph, a person is a resident of this state if the person meets the residency requirements described in ORS 803.200.

(b) The exemption under this subsection applies to vehicles granted exemptions under ORS 802.500, 802.520 or 826.005 unless otherwise provided for under paragraph (c) of this subsection.

(c) Except as otherwise provided in this paragraph, a vehicle operated over the highways of this state for compensation or profit must comply with the registration requirements under ORS 803.300 in the same manner as vehicles owned by persons in this state. The following vehicles are not subject to this paragraph:

(A) Vehicles operated under reciprocal registration exemptions established under ORS 802.500 or 826.005.

(B) Vehicles operated under an exemption established under ORS 802.520.

(C) Vehicles that are proportionally registered under an agreement established under ORS 826.007 and according to the procedures established under ORS 826.009 and 826.011.

(D) Any vehicle if duly registered and titled under the laws of the state or country of which the owner is a bona fide resident to the extent that in the foreign country, state, territory or federal district where the owner resides like exemptions and privileges are granted vehicles duly registered and titled under the laws of this state and owned by residents of this state.

(d) If no exemption from registration requirements is in effect under ORS 802.500, 802.520, 826.005 or 826.007 with respect to another jurisdiction, any vehicle properly registered and titled in such other jurisdiction and for which evidence of compliance is

supplied shall receive, when operated in this state, the same exemptions, benefits and privileges granted by such other jurisdictions to vehicles properly registered and titled in this state. Reciprocity extended under this paragraph shall apply to commercial vehicles only when engaged exclusively in interstate commerce.

(e) Any vehicle operated under dealer registration plates issued by another state, country, province, territory or the District of Columbia is subject to this subsection.

(15) Vehicles operated or used by vehicle dealers may be operated or used without registration as provided under ORS 822.040.

(16) Vehicles towed by towing businesses may be towed without registration as provided under ORS 822.210.

(17) Vehicles without registration may be transported by vehicle transporters as provided under ORS 822.310.

(18) Vehicles that are not registered may be operated under trip permits described under ORS 803.600 or under permits described under ORS 803.610 to 803.625.

(19) If trailers that are part of a fleet of trailers for hire are properly registered in this state under an agreement entered into pursuant to ORS 802.500, all trailers that are identified as being a part of the same fleet and that are currently registered in any state, territory, province, country or the District of Columbia shall be permitted to operate in this state in both interstate and intrastate commerce without being registered by this state.

(20) Vehicles that are registered by the United States Department of State and that are owned or operated by foreign nationals with diplomatic immunity are exempt from registration.

(21) Tow dollies and converter dollies are exempt from registration.

(22) Class I and Class III all-terrain vehicles are exempt from registration.

(23) Motor assisted scooters are exempt from registration.

(24) Electric personal assistive mobility devices are exempt from registration.

(25) A racing activity vehicle that is being operated for the purposes of a test drive within a 30-mile radius of the location where the vehicle is manufactured is exempt from registration.

(26) Road machinery that is operated at the direction of a road authority is exempt from registration. The exemption under this subsection also applies when the operation of road machinery upon a highway or an alley is incidental to its use in a highway maintenance operation. [1983 c.338 §206; 1985 c.16 §75; 1985 c.333 §7; 1985 c.401 §5; 1985 c.459 §4; 1985 c.668 §7; 1987 c.25 §2; 1989 c.43 §20; 1989 c.991 §25; 1991 c.284 §15; 1991 c.459 §438g; 1993 c.174 §3; 1993 c.303 §2; 1995 c.774 §11; 1999 c.977 §19; 2001 c.749 §20; 2001 c.827 §2; 2003 c.71 §1; 2003 c.341 §4; 2003 c.655 §109; 2007 c.70 §325; 2007 c.693 §3e; 2007 c.845 §2; 2009 c.91 §4]

803.310 Optional registration; rules. (1) The Department of Transportation, by rule, may provide for optional registration of vehicles that are exempt from vehicle registration requirements by ORS 803.305. The rules adopted for purposes of this subsection may provide for the registration of categories of vehicles, types of vehicles or otherwise. Upon request of an owner, the department may issue registration for a vehicle that meets the requirements of rules adopted under this section.

(2) A vehicle that is registered under this section is subject to the same provisions, conditions, fees and other requirements for registration as are other vehicles under the vehicle code. [1985 c.333 §6]

803.315 Failure to pay registration fee; penalty. (1) A person commits the offense of failure to pay the appropriate registration fee if the person operates any vehicle or transports any camper that is registered in this state unless the proper fee, as established under ORS 803.420, has been paid for registration of the vehicle.

(2) The offense described in this section, failure to pay appropriate registration fee, is a Class D traffic violation. [1983 c.338 §207; 1985 c.16 §76; 1995 c.383 §38; 2003 c.655 §110]

803.320 Permitting unlawful operation of unregistered vehicle; penalty. (1) A person commits the offense of permitting unlawful operation of an unregistered vehicle if the person authorizes or knowingly permits a motor vehicle that is owned by the person or under the person's control and that is not registered as required under the vehicle code or ORS chapter 826 to be driven by any person.

(2) The offense described in this section, permitting unlawful operation of unregistered vehicle, is a Class D traffic violation. [1983 c.338 §208; 1991 c.407 §23; 1995 c.383 §5]

803.325 Purchase and use of out-of-state registered vehicle; requirements; penalty. (1) A person commits the offense of purchase and use of an out-of-state registered vehicle by a resident if the person is a resident of this state and the person purchases a vehicle registered outside of this state without doing all of the following:

(a) Upon purchase, the person shall remove the registration plates and shall cause the vehicle to be registered as provided under the vehicle code or under ORS chapter

826, as appropriate, for vehicles owned by residents of this state.

(b) The person shall not use, within this state, the vehicle except when the person has paid fees and has complied with the vehicle code or with ORS chapter 826, as appropriate.

(2) The offense described in this section, purchase and use of out-of-state registered vehicle by resident, is a Class D traffic violation. [1983 c.338 §209; 1985 c.16 §77; 1991 c.407 §24; 1995 c.383 §39]

(Qualifications)

803.350 Qualifications for registration; fee; rules. This section establishes the requirements for qualification for registration. The Department of Transportation shall not issue registration to a vehicle if the requirements under this section are not met. The department, in the absence of just cause for refusing to register a vehicle upon application, shall assign a distinctive number or other distinctive means of identification and shall issue registration for a vehicle if all of the following requirements are met:

(1) The applicant applies for and is granted title in the applicant's name at the same time the person makes application for registration, or presents satisfactory evidence that title covering the vehicle has been previously issued to the applicant.

(2) The applicant completes an application described under ORS 803.370. If the vehicle is a reconstructed or assembled vehicle or a replica, the person must indicate that fact in the application or be subject to ORS 803.225.

(3) The applicant pays the department the registration fee established under ORS 803.420 and any applicable fees for issuance of registration plates.

(4) For motor vehicles, proof of compliance with pollution control equipment requirements is provided to the department. Proof required to comply with this subsection is described under ORS 815.310. This subsection does not apply if the vehicle is exempt from the requirements for proof of compliance under ORS 815.300.

(5) The applicant is domiciled in this state, as described in ORS 803.355, if required by ORS 803.360 to be domiciled in the state in order to register a vehicle. If the department has reason to believe that the applicant is not domiciled in this state and is required to be in order to register a vehicle, the department may require the person to submit proof of domicile. The department shall determine by rule what constitutes proof of domicile.

(6) The applicant owns a vehicle that qualifies under ORS 803.360 (2) for registration in this state, if the owner is not domiciled in this state and is not required by ORS 803.200, or any other provision of law, to register the vehicle in this state.

(7) The applicant surrenders all evidence of any former registration or title as required by ORS 803.380.

(8)(a) Beginning with 2009 model year new motor vehicles, the applicant provides proof of compliance with low emission motor vehicle standards adopted pursuant to ORS 468A.360. The department shall determine by rule what constitutes proof of compliance with low emission motor vehicle standards.

(b) The department shall determine by rule which new motor vehicles are exempt from the requirements of this subsection. Any rules adopted pursuant to this paragraph shall be consistent with the Environmental Quality Commission standards adopted pursuant to ORS 468A.360.

(c) For purposes of this subsection, "new motor vehicle" means a motor vehicle with 7,500 miles or less on the odometer when the vehicle is initially registered under ORS 803.420 (1), 805.100 or 805.120.

(9) If required to do so by the department, the applicant provides the department with satisfactory proof that the vehicle was designed to be operated on highways and meets equipment requirements imposed by statute or rule for the lawful operation of a vehicle on highways. The department may adopt rules specifying the kinds of vehicles that are subject to this subsection and what constitutes satisfactory proof under this subsection. [1983 c.338 §210; 1985 c.16 §78; 1985 c.305 §9; 1985 c.402 §11; 1987 c.146 §7; 1989 c.22 §1; 1993 c.233 §48; 2001 c.293 §3; 2007 c.366 §1]

803.355 "Domicile" described. For purposes of ORS 803.350 to 803.370 and 807.045, a person is domiciled in this state if the person's place of abode is in the state and the person intends to remain in the state or, if absent, to return to it. [1985 c.305 §7; 1989 c.636 §15]

803.360 Domicile requirements for registration; exceptions. (1) No person may register or renew the registration of a vehicle in this state unless the person is domiciled in this state, as described in ORS 803.355. This section does not apply to persons required by ORS 803.200 or any other provision of law, to register vehicles in this state.

(2) Notwithstanding subsection (1) of this section, a person who is not domiciled in this state may register or renew the registration of a vehicle that:

(a) Is usually left within the state when the registered owner is absent from the state;

(b) Is used primarily for personal transportation within the state;

(c) Is a private passenger vehicle or a vehicle with a loaded weight of less than 10,000 pounds; and

(d) Is not a motor home or a camper. [1985 c.305 §8; 2005 c.770 §3]

(Application)

803.370 Contents of application; rules. This section establishes requirements for an application for vehicle registration in this state. If an applicant fails to comply with requirements under this section, the Department of Transportation may refuse to register or reregister a vehicle until the applicant complies with the requirements. An application shall contain all of the following:

(1) The true name and, except as provided for corrections officers in ORS 802.253, eligible employees in ORS 802.250 or Address Confidentiality Program participants in ORS 192.846, the actual residence or business address of the owner. The department may provide by rule for acceptance of something other than an actual residence or business address if the department determines that the applicant does not have an actual address.

(2) A description of the vehicle, including the name of the make and the vehicle identification number.

(3) An odometer disclosure in a form determined by the department by rule pursuant to ORS 803.120, if a disclosure is otherwise required.

(4) Any other information required by the department.

(5) If the application is for registration or reregistration of a vehicle that is subject to the federal heavy vehicle use tax, proof that the federal use tax has been paid. The department shall adopt rules to determine proof that will be acceptable for purposes of this subsection.

(6) A statement:

(a) That the applicant is domiciled in this state as described in ORS 803.355 if the applicant is required by ORS 803.360 to be domiciled in this state in order to register a vehicle in the state; and

(b) That so long as the vehicle remains registered to the applicant in this state, the applicant will remain domiciled in this state if required to do so in order to register the vehicle.

(7) A statement:

(a) That the vehicle qualifies under ORS 803.360 (2) for registration in this state, if the owner is not domiciled in this state and is not required by ORS 803.200, or any other provision of law, to register the vehicle in this state; and

(b) That so long as the vehicle remains registered to the applicant under the provisions of ORS 803.360 (2), the owner and the vehicle will meet the qualifications of this subsection.

(8) A statement upon initial registration that the applicant is in compliance with financial responsibility requirements for the vehicle and will remain in compliance until the vehicle is transferred. Exemptions from this subsection are established in ORS 806.020.

(9) If the application is for registration or renewal of registration of a motor vehicle by a motor carrier, the information on drug and alcohol testing programs required by ORS 825.410. [1983 c.338 §211; 1985 c.16 §79; 1985 c.251 §18; 1985 c.305 §10; 1985 c.563 §4; 1989 c.695 §3; 1991 c.67 §215; 1991 c.523 §4; 1991 c.873 §15; 1993 c.751 §89; 1999 c.1099 §4; 2005 c.292 §5; 2007 c.542 §18]

803.375 False application prohibited; penalty. (1) A person commits the offense of false application for vehicle registration if the person does any of the following:

(a) Knowingly makes any false statement or representation with respect to any facts required to be set forth in any application for registration.

(b) Uses a name other than the person's true name in any application for registration.

(2) The penalty for submitting a false odometer reading in an application for registration is as provided in ORS 815.430.

(3) The offense described in this section, false application for vehicle registration, is a Class A misdemeanor. [1983 c.338 §212; 1985 c.16 §80; 1985 c.251 §19]

803.380 Failure to surrender out-of-state registration; penalty. (1) A person commits the offense of failure to surrender out-of-state registration, if the person registers a vehicle in this state that has been registered in another jurisdiction and the person does not surrender to the Department of Transportation all number plates, seals, certificates of registration or other evidences of the former registration in possession or control of the applicant.

(2) The offense described in this section, failure to surrender out-of-state registration, is a Class D traffic violation. [1983 c.338 §213; 1985 c.16 §81; 1991 c.407 §25; 1995 c.733 §84]

803.385 False swearing relating to registration; penalty. (1) A person commits the offense of false swearing relating to registration of vehicles if the person knowingly

makes any false affidavit or knowingly swears or affirms falsely to any matter or thing relating to the registering of vehicles under the vehicle code or under ORS chapter 826.

(2) The penalty for submitting a false odometer reading in an application for registration is as provided under ORS 815.430.

(3) The offense described in this section, false swearing relating to registration of vehicles, is a Class A misdemeanor. [1983 c.338 §214; 1985 c.251 §20; 1985 c.393 §5; 1991 c.407 §26; 1993 c.751 §90]

(Periods and Fees)

803.400 Duration of registration periods. This section establishes and distinguishes registration periods. Each registration period determines the period of validity for vehicle registration. Registration under the following registration periods is valid during the described registration period:

(1)(a) Annual registration is valid for a one-year period. Except as provided in this subsection, the period starts on the first day of a calendar month and runs through the last day of the same calendar month one year later. Once a vehicle is registered under annual registration, the registration period of the vehicle begins and ends with that same calendar month each time the vehicle is reregistered or registration for the vehicle is renewed.

(b) Annual registration issued under ORS 803.415 (11) starts on the day a vehicle is registered and runs through the same day one year later. Once a vehicle is registered annually under ORS 803.415 (11), the registration period of the vehicle begins and ends with that same day each time the vehicle is reregistered or registration for the vehicle is renewed. Vehicles initially registered on February 29 will expire on the last day of February at the end of the registration period.

(2) Biennial registration is valid for a two-year period. The period starts on the day a vehicle is registered and runs through the same day two years later. Once a vehicle is registered under biennial registration, the registration period of the vehicle begins and ends with that same day each time the vehicle is reregistered or registration for the vehicle is renewed. Vehicles initially registered on February 29 will expire on the last day of February two years later.

(3) Calendar-year registration starts on January 1 of a year and runs through December 31 of the same year.

(4) Ownership registration starts on the day the vehicle is registered and is valid until the ownership of the vehicle changes.

(5) Permanent registration starts on the day the vehicle is registered and is valid for the life of the vehicle.

(6) Quarterly registration starts on the first day of any calendar quarter and runs through the last day of the last calendar quarter in the registration period. The number of calendar quarters in a quarterly registration is elected by the vehicle owner at the time of registration. A person may not establish quarterly registration periods for more than four quarters. If a vehicle is registered for a quarterly registration period of less than four calendar quarters, the Department of Transportation shall collect, when issuing or renewing registration of the vehicle, the additional fee for quarterly registration established under ORS 803.420.

(7) Four-year registration starts on the day a vehicle is registered and runs through the same day four years later. [1983 c.338 §222; 1989 c.76 §1; 1993 c.174 §4; 2001 c.124 §2; 2005 c.280 §1]

803.405 Effect of initial registration month. (1) The month in which any vehicle is initially registered under annual registration is the month established as the beginning and ending of registration periods for the vehicle unless the Department of Transportation adjusts the registration month of the vehicle upon initial registration under ORS 803.410.

(2) The day on which any vehicle is initially registered under biennial registration or when required under ORS 820.520 is the day established as the beginning and ending of registration periods for the vehicle unless the department adjusts the registration period of the vehicle upon initial registration under ORS 803.410. [1983 c.338 §223; 1989 c.76 §2]

803.410 Department authorized to adjust periods and fees; rules. The Department of Transportation is empowered to administer ORS 803.400 and 803.405, relating to the registration periods of vehicles and to adopt and enforce rules, including rules for the adjustment or proration of fees and registration periods, necessary to accomplish the enforcement of those sections. The authority granted the department under this section is subject to the following:

(1) The department may initially register a vehicle that is subject to biennial registration for less than a 24-month period or for more than a 24-month period, not exceeding a maximum of a 30-month period, and prorate the fee on a monthly basis, when in its opinion such fractional registration tends to fulfill the purpose of the biennial registration system.

(2) The department may initially adjust the registration periods of trailers for hire registered as part of a fleet.

(3) The authority granted under this section includes authority to adjust the initial registration period of travel trailers and special use trailers that are required to be registered after being removed from assessment under the ad valorem tax laws by ORS 820.520.

(4) The department, by rule, may adjust registration fees or registration periods for a vehicle, as is administratively convenient for the department, if:

(a) The vehicle is changed from one type of registration to another type; or

(b) Any other change relating to the registration of the vehicle is made where it would be administratively convenient for the department to make such adjustments. [1983 c.338 §224; 1985 c.16 §83; 1985 c.253 §3; 1987 c.750 §6; 1989 c.43 §21; 1993 c.174 §5]

803.415 Registration periods for vehicles. This section establishes registration periods for vehicles. The registration periods are periods described under ORS 803.400. Except as provided in the following, the registration period for any vehicle registered in this state by the Department of Transportation is a biennial registration period:

(1) The following vehicles have permanent registration:

(a) Antique vehicles registered under ORS 805.010.

(b) Vehicles of special interest registered under ORS 805.020.

(c) Trailers that will be operated on the highways at a loaded weight of more than 8,000 pounds and are not travel trailers, fixed load vehicles or special use trailers.

(2) Government-owned vehicles registered under ORS 805.040 have ownership registration.

(3) The following vehicles may be registered under annual or quarterly registration unless the vehicles are registered under proportional registration under ORS 826.009 or proportional fleet registration under ORS 826.011:

(a) Vehicles required to establish a registration weight under ORS 803.430.

(b) Commercial buses.

(c) Vehicles registered as farm vehicles under ORS 805.300.

(4) Snowmobiles are registered as provided in ORS 821.080.

(5) Vehicles operated by dealers who hold certificates under ORS 822.020 are as provided under ORS 822.040.

(6) Trailers for hire that will be operated at a loaded weight of 8,000 pounds or less may be registered as follows:

(a) Annual registration; or

(b) If registered under an agreement pursuant to ORS 802.500, for a period of time determined as specified in the agreement or as determined by the department.

(7) Except as otherwise provided in subsection (10) of this section, the registration period for electric vehicles and hybrid vehicles that use electricity and another source of motive power is a biennial registration period except that the registration period for the following electric or hybrid vehicles is an annual registration period:

(a) Commercial buses.

(b) Electric or hybrid vehicles registered as farm vehicles under ORS 805.300.

(c) Vehicles required to establish registration weight under ORS 803.430.

(8) Vehicles registered under ORS 805.100 have an ownership registration period.

(9) School vehicles registered under ORS 805.050 have ownership registration except that the registration shall continue to be valid if ownership of the vehicle is transferred to a person who continues to use the vehicle for purposes authorized by ORS 805.050.

(10) The following vehicles have a four-year registration period:

(a) New vehicles registered under ORS 803.420 (1) for which new registration plates will be issued;

(b) New mopeds registered under ORS 803.420 (2) for which new registration plates will be issued;

(c) New motorcycles registered under ORS 803.420 (3) for which new registration plates will be issued; and

(d) New vehicles registered under ORS 803.420 (9)(a) for which new registration plates will be issued.

(11) A rental or leasing company, as defined in ORS 221.275, may elect an annual, a biennial or a four-year registration period for the initial registration of a new vehicle registered under ORS 803.420 (1) or (9)(a) for which new registration plates will be issued if the company owns the vehicle that is being registered. The subsequent renewal or reregistration periods for the vehicle are biennial. [1983 c.338 §225; 1985 c.16 §84; 1985 c.177 §1; 1985 c.189 §1; 1985 c.547 §12; 1987 c.158 §162; 1987 c.217 §2; 1989 c.43 §22; 1989 c.723 §7; 1989 c.991 §26; 1991 c.284 §16; 1991 c.407 §27; 1993 c.174 §6; 1995 c.774 §12; 1999 c.977 §20; 2001 c.124 §1; 2001 c.293 §9; 2003 c.655 §111; 2005 c.280 §2]

803.417 Registration period for Oregon National Guard member or military reservist. (1) Notwithstanding ORS 803.400 and 803.415, the registration of a vehicle registered in the name of a person who is a member of the Oregon National Guard or a military reservist ordered on active duty and deployed to a location outside the United States that expires while the person is on active duty shall remain valid for 90 days following the termination of active duty.

(2) The court shall dismiss the charge of failure to renew vehicle registration under ORS 803.455 if, when charged, a member of the Oregon National Guard or a military reservist had a valid registration for the vehicle pursuant to subsection (1) of this section. [2005 c.257 §3]

Note: 803.417 was added to and made a part of the Oregon Vehicle Code by legislative action but was not added to ORS chapter 803 or any series therein. See Preface to Oregon Revised Statutes for further explanation.

803.420 Registration fees. This section establishes registration fees for vehicles. If there is uncertainty as to the classification of a vehicle for purposes of the payment of registration fees under the vehicle code, the Department of Transportation may classify the vehicle to assure that registration fees for the vehicle are the same as for vehicles the department determines to be comparable. The registration fees for the vehicle shall be those based on the classification determined by the department. Except as otherwise provided in this section, or unless the vehicle is registered quarterly, the fees described in this section are for an entire registration period for the vehicle as described under ORS 803.415. The department shall apportion any fee under this section to reflect the number of quarters registered for a vehicle registered for a quarterly registration period under ORS 803.415. The fees are payable when a vehicle is registered and upon renewal of registration. Except as provided in ORS 801.041 (3) and 801.042 (7), the fee shall be increased by any amount established by the governing body of a county or by the governing body of a district, as defined in ORS 801.237, under ORS 801.041 or 801.042 as an additional registration fee for the vehicle. The fees for registration of vehicles are as follows:

(1) Vehicles not otherwise provided for in this section or ORS 821.320, $43 for each year of the registration period.

(2) Mopeds, $24 for each year of the registration period.

(3) Motorcycles, $24 for each year of the registration period.

(4) Government-owned vehicles registered under ORS 805.040, $3.50.

(5) State-owned vehicles registered under ORS 805.045, $3.50 on registration or renewal.

(6) Undercover vehicles registered under ORS 805.060, $3.50 on registration or renewal.

(7) Antique vehicles registered under ORS 805.010, $54.

(8) Vehicles of special interest registered under ORS 805.020, $81.

(9) Electric vehicles and hybrid vehicles that use electricity and another source of motive power, as follows:

(a) The registration fee for an electric or hybrid vehicle not otherwise described in this subsection is $43 for each year of the registration period.

(b) The registration fee for electric or hybrid vehicles that have two or three wheels is $43. This paragraph does not apply to electric or hybrid mopeds. Electric or hybrid mopeds are subject to the same registration fee as otherwise provided for mopeds under this section.

(c) The registration fees for the following electric or hybrid vehicles are the same as for comparable nonelectric vehicles described in this section plus 50 percent of such fee:

(A) Motor homes.

(B) Commercial buses.

(C) Vehicles registered as farm vehicles under ORS 805.300.

(D) Vehicles required to establish registration weight under ORS 803.430 or 826.013.

(10) Motor vehicles required to establish a registration weight under ORS 803.430 or 826.013, and commercial buses as provided in the following chart, based upon the weight submitted in the declaration of weight prepared under ORS 803.435 or 826.015:

Weight in Pounds			Fee
8,000	or	less	$ 55
8,001	to	10,000	344
10,001	to	12,000	391
12,001	to	14,000	438
14,001	to	16,000	485
16,001	to	18,000	532
18,001	to	20,000	593
20,001	to	22,000	640
22,001	to	24,000	703
24,001	to	26,000	764
26,001	to	28,000	375
28,001	to	30,000	391
30,001	to	32,000	422
32,001	to	34,000	438
34,001	to	36,000	468
36,001	to	38,000	485
38,001	to	40,000	515
40,001	to	42,000	532
42,001	to	44,000	562
44,001	to	46,000	578

46,001	to	48,000	593
48,001	to	50,000	625
50,001	to	52,000	656
52,001	to	54,000	672
54,001	to	56,000	686
56,001	to	58,000	717
58,001	to	60,000	750
60,001	to	62,000	780
62,001	to	64,000	811
64,001	to	66,000	827
66,001	to	68,000	857
68,001	to	70,000	874
70,001	to	72,000	904
72,001	to	74,000	921
74,001	to	76,000	951
76,001	to	78,000	967
78,001	to	80,000	998
80,001	to	82,000	1,014
82,001	to	84,000	1,045
84,001	to	86,000	1,061
86,001	to	88,000	1,092
88,001	to	90,000	1,108
90,001	to	92,000	1,139
92,001	to	94,000	1,155
94,001	to	96,000	1,185
96,001	to	98,000	1,202
98,001	to	100,000	1,218
100,001	to	102,000	1,249
102,001	to	104,000	1,265
104,001	to	105,500	1,295

(11)(a) Motor vehicles with a registration weight of more than 8,000 pounds that are described in ORS 825.015, that are operated by a charitable organization as defined in ORS 825.017 (14), as provided in the following chart:

Weight in Pounds			Fee
8,001	to	10,000	$ 50
10,001	to	12,000	60
12,001	to	14,000	65
14,001	to	16,000	75
16,001	to	18,000	80
18,001	to	20,000	90
20,001	to	22,000	95
22,001	to	24,000	105
24,001	to	26,000	110
26,001	to	28,000	120
28,001	to	30,000	125
30,001	to	32,000	135
32,001	to	34,000	140
34,001	to	36,000	150
36,001	to	38,000	155
38,001	to	40,000	165
40,001	to	42,000	170
42,001	to	44,000	180
44,001	to	46,000	185
46,001	to	48,000	190
48,001	to	50,000	200
50,001	to	52,000	210
52,001	to	54,000	215
54,001	to	56,000	220
56,001	to	58,000	230
58,001	to	60,000	240
60,001	to	62,000	250
62,001	to	64,000	260
64,001	to	66,000	265
66,001	to	68,000	275
68,001	to	70,000	280
70,001	to	72,000	290
72,001	to	74,000	295
74,001	to	76,000	305
76,001	to	78,000	310
78,001	to	80,000	320
80,001	to	82,000	325
82,001	to	84,000	335
84,001	to	86,000	340
86,001	to	88,000	350
88,001	to	90,000	355
90,001	to	92,000	365
92,001	to	94,000	370
94,001	to	96,000	380
96,001	to	98,000	385
98,001	to	100,000	390
100,001	to	102,000	400
102,001	to	104,000	405
104,001	to	105,500	415

(b) Motor vehicles with a registration weight of more than 8,000 pounds that are certified under ORS 822.205 or that are used exclusively to transport manufactured structures, as provided in the following chart:

Weight in Pounds			Fee
8,001	to	10,000	$ 102
10,001	to	12,000	122
12,001	to	14,000	132
14,001	to	16,000	153
16,001	to	18,000	163
18,001	to	20,000	183
20,001	to	22,000	193
22,001	to	24,000	214
24,001	to	26,000	224
26,001	to	28,000	244
28,001	to	30,000	255
30,001	to	32,000	275
32,001	to	34,000	285
34,001	to	36,000	306
36,001	to	38,000	316
38,001	to	40,000	336
40,001	to	42,000	346
42,001	to	44,000	367
44,001	to	46,000	377
46,001	to	48,000	387
48,001	to	50,000	407
50,001	to	52,000	428
52,001	to	54,000	438
54,001	to	56,000	448
56,001	to	58,000	468
58,001	to	60,000	489
60,001	to	62,000	509
62,001	to	64,000	530
64,001	to	66,000	540
66,001	to	68,000	560
68,001	to	70,000	570
70,001	to	72,000	591
72,001	to	74,000	601
74,001	to	76,000	621
76,001	to	78,000	631
78,001	to	80,000	652
80,001	to	82,000	662
82,001	to	84,000	682
84,001	to	86,000	692

86,001	to	88,000	713
88,001	to	90,000	723
90,001	to	92,000	743
92,001	to	94,000	754
94,001	to	96,000	774
96,001	to	98,000	784
98,001	to	100,000	794
100,001	to	102,000	815
102,001	to	104,000	825
104,001	to	105,500	845

(c) The owner of a vehicle described in paragraphs (a) and (b) of this subsection must certify at the time of initial registration, in a manner determined by the department by rule, that the motor vehicle will be used exclusively to transport manufactured structures or exclusively as described in ORS 822.210, 825.015 or 825.017 (14). Registration of a vehicle described in paragraphs (a) and (b) of this subsection is invalid if the vehicle is operated in any manner other than that described in the certification under this paragraph.

(12) Trailers registered under permanent registration, $10.

(13) Fixed load vehicles as follows:

(a) If a declaration of weight described under ORS 803.435 is submitted establishing the weight of the vehicle at 3,000 pounds or less, $54.

(b) If no declaration of weight is submitted or if the weight of the vehicle is in excess of 3,000 pounds, $75.

(14) Trailers for hire that are equipped with pneumatic tires made of an elastic material and that are not travel trailers or trailers registered under permanent registration, $27.

(15) Trailers registered as part of a fleet under an agreement reached pursuant to ORS 802.500, the same as the fee for vehicles of the same type registered under other provisions of the Oregon Vehicle Code.

(16) Travel trailers, campers and motor homes as follows, based on length as determined under ORS 803.425:

(a) For travel trailers or campers that are 6 to 10 feet in length, $81.

(b) For travel trailers or campers over 10 feet in length, $81 plus $6.75 a foot for each foot of length over the first 10 feet.

(c) For motor homes that are 6 to 14 feet in length, $54.

(d) For motor homes over 14 feet in length, $126 plus $7.50 a foot for each foot of length over the first 10 feet.

(17) Special use trailers as follows, based on length as determined under ORS 803.425:

(a) For lengths 6 to 10 feet, $54.

(b) For special use trailers over 10 feet in length, $54 plus $3 a foot for each foot of length over the first 10 feet.

(18) Fees for vehicles with proportional registration under ORS 826.009, or proportioned fleet registration under ORS 826.011, are as provided for vehicles of the same type under this section except that the fees shall be fixed on an apportioned basis as provided under the agreement established under ORS 826.007.

(19) For any vehicle that is registered under a quarterly registration period, a minimum of $15 for each quarter registered plus an additional fee of $1.

(20) In addition to any other fees charged for registration of vehicles in fleets under ORS 805.120, the department may charge the following fees:

(a) A $2 service charge for each vehicle entered into a fleet.

(b) A $1 service charge for each vehicle in the fleet at the time of renewal.

(21) The registration fee for vehicles with special registration for disabled veterans under ORS 805.100 is a fee of $15.

(22) Subject to subsection (19) of this section, the registration fee for motor vehicles registered as farm vehicles under ORS 805.300 is as follows based upon the registration weight given in the declaration of weight submitted under ORS 803.435:

Weight in Pounds			Fee
8,000	or	less	$ 35
8,001	to	10,000	46
10,001	to	12,000	53
12,001	to	14,000	68
14,001	to	16,000	76
16,001	to	18,000	91
18,001	to	20,000	99
20,001	to	22,000	114
22,001	to	24,000	121
24,001	to	26,000	137
26,001	to	28,000	144
28,001	to	30,000	159
30,001	to	32,000	167
32,001	to	34,000	182
34,001	to	36,000	190
36,001	to	38,000	205
38,001	to	40,000	213
40,001	to	42,000	228
42,001	to	44,000	235
44,001	to	46,000	251
46,001	to	48,000	258
48,001	to	50,000	273
50,001	to	52,000	281
52,001	to	54,000	288
54,001	to	56,000	304
56,001	to	58,000	319
58,001	to	60,000	326
60,001	to	62,000	334
62,001	to	64,000	349
64,001	to	66,000	364

66,001	to	68,000	372
68,001	to	70,000	380
70,001	to	72,000	395
72,001	to	74,000	402
74,001	to	76,000	418
76,001	to	78,000	425
78,001	to	80,000	440
80,001	to	82,000	448
82,001	to	84,000	463
84,001	to	86,000	471
86,001	to	88,000	486
88,001	to	90,000	493
90,001	to	92,000	509
92,001	to	94,000	516
94,001	to	96,000	531
96,001	to	98,000	539
98,001	to	100,000	554
100,001	to	102,000	562
102,001	to	104,000	577
104,001	to	105,500	585

(23) The registration fee for school vehicles registered under ORS 805.050 is $7.50.

(24) The registration fee for a low-speed vehicle is $43, for each year of the registration period.

(25) A rental or leasing company, as defined in ORS 221.275, that elects to initially register a vehicle for an annual or biennial registration period shall pay a fee of $1 in addition to the vehicle registration fee provided under this section.

(26) Racing activity vehicles registered under ORS 805.035, $81.

(27) Medium-speed electric vehicles, $43 for each year of the registration period. [1983 c.338 §226; 1985 c.16 §85; 1985 c.177 §2; 1985 c.189 §2; 1985 c.245 §2; 1985 c.253 §4; 1985 c.401 §6; 1985 c.547 §13; 1987 c.6 §2; 1987 c.25 §3; 1987 c.440 §3; 1987 c.750 §7; 1989 c.43 §23; 1989 c.723 §§8,8a; 1989 c.864 §7; 1989 c.865 §§7,7a,7b,7c,7d,7e,7f; 1989 c.992 §§11,11a,11b,11c; 1991 c.284 §17; 1991 c.497 §13; 1991 c.880 §10; 1993 c.174 §7; 1993 c.662 §3; 1993 c.751 §23a; 1995 c.447 §3; 2001 c.124 §3; 2001 c.293 §6; 2003 c.589 §7; 2003 c.618 §2; 2003 c.655 §112; 2005 c.280 §3; 2007 c.664 §1; 2007 c.693 §3d; 2009 c.865 §§43,43a]

803.425 Vehicle length for fee determination. The following are the measurement points of the described vehicles for the purposes of determining registration fees under ORS 803.420:

(1) Special use trailers and travel trailers are measured from the foremost point of the trailer hitch to the rear extremity of the trailer body not including the spare tire, but including all ordinary equipment or appliances appropriate to the type of body such as stakes, curtains, hooks, skids, tailboard, chains, sides and roof.

(2) Campers are measured by overall length from the extreme front to the extreme rear.

(3) Motor homes are measured by overall length from front to rear extremities.

(4) Tent trailers are measured by overall length when folded for travel. [1983 c.338 §229; 1985 c.16 §86]

803.430 Certain vehicles required to establish registration weight for fee determination. (1) Registration weight is established for the following purposes:

(a) The registration weight is the weight used in the declaration of weight under ORS 803.435 to determine the registration fees under ORS 803.420 for vehicles required to establish registration weight under this section.

(b) A vehicle that is required to establish registration weight by this section is in violation of ORS 803.315 if the vehicle is operated on a highway of this state at a weight in excess of the registration weight except when carrying a load:

(A) Under the provisions of ORS 376.305 to 376.390;

(B) Of over 105,500 pounds combined weight or loaded weight under a variance permit issued under ORS 818.200;

(C) Under a registration weight trip permit issued under ORS 803.600; or

(D) Consisting of towed motor vehicles required to be registered under the vehicle code.

(2) Registration weight is established at the time of registration and whenever the vehicle has been altered or reconstructed by furnishing a declaration of weight described under ORS 803.435 that contains a declaration of the maximum combined weight or loaded weight at which the vehicle will be operated on the highways of this state except when carrying loads described under subsection (1)(b) of this section. The maximum registration weight for any vehicle required to establish a registration weight under this section is 105,500 pounds. Vehicles operating at weights above 105,500 pounds will operate under a variance permit issued under ORS 818.200.

(3) Except as provided in subsection (4) of this section, the following vehicles are required to establish a registration weight under this section:

(a) Any motor truck that will be operated on the highways at a combined weight or loaded weight of more than 10,000 pounds not including the weight of any camper or trailing vehicle described in subsection (5) of this section, or any trailing manufactured structure.

(b) Any truck tractor that will be operated on the highways at a combined weight of more than 8,000 pounds not including the weight of any camper or trailing vehicle de-

scribed in subsection (5) of this section, or any trailing manufactured structure.

(c) An armored car, tow vehicle, hearse or ambulance.

(d) Any other motor vehicle that will be operated on the highways at a combined weight or loaded weight of more than 10,000 pounds not including the weight of any camper or trailing vehicle as described in subsection (5) of this section, or any trailing manufactured structure.

(e) A self-propelled mobile crane.

(f) Any motor vehicle registered as a farm vehicle under ORS 805.300.

(4) A vehicle that is being registered under a specific provision of the vehicle code where fees are not based on weight or where registration weight is specifically not required is not required to establish registration weight under this section.

(5) The weight of a camper or the following trailing vehicles may not be included in the registration weight:

(a) Trailers with a loaded weight of 8,000 pounds or less.

(b) Special use trailers, travel trailers and fixed load vehicles.

(c) Towed motor vehicles.

(6) The weight of a trailing manufactured structure may not be included in the registration weight. [1983 c.338 §230; 1985 c.16 §87; 1985 c.71 §3; 1985 c.172 §6; 1989 c.723 §9; 1991 c.284 §18; 1993 c.751 §24; 2003 c.655 §113; 2005 c.654 §17; 2005 c.770 §2; 2007 c.50 §2]

803.435 Declaration of weight for fee determination; contents. A declaration of weight required for purposes of complying with ORS 803.440 and for purposes of determining vehicle registration fees under ORS 803.420 shall contain the following:

(1) For vehicles required to establish a registration weight under ORS 803.430, the declaration shall contain the registration weight.

(2) For buses, the declaration shall contain the unloaded weight of the vehicle plus the unloaded weight of any bus trailer to be used in combination with the vehicle. The declaration shall also indicate the number of persons, including the driver, to be carried in the vehicle, plus the number of persons to be carried on any bus trailer to be used in combination with the vehicle. For purposes of determining the fee for registration of the vehicle under ORS 803.420, the Department of Transportation shall determine the weight of the vehicle by adding the unloaded weight of the vehicle, plus the unloaded weight of any bus trailer to be used in combination with the vehicle, to a weight determined by multiplying the maximum seating capacity of the vehicle plus the maximum seating capacity of any bus trailer to be used in combination with the vehicle, including the driver's seat but excluding emergency seats, times 170 pounds, if the vehicle has a separate compartment for transporting baggage or express, or 150 pounds, if the vehicle has no separate compartment for transporting baggage or express. If the vehicle has a seating capacity that is not arranged for separate or individual seating, 18 lineal inches shall be deemed the equivalent of a passenger seat.

(3) For fixed load vehicles, the declaration shall contain the weight of the vehicle including the cab, chassis, frame and all appurtenances necessary for making the vehicle self-propelled including front bumpers, fenders, windshield, tire carrier and spare wheel, and including the fixed or permanent load of the vehicle but excluding the spare tire.

(4) For all vehicles not otherwise provided for by this section and for which a declaration is prepared or required, the declaration shall contain the registration weight of the vehicle. [1983 c.338 §231; 1985 c.16 §88; 1985 c.189 §3; 1989 c.723 §10; 1989 c.992 §12c; 1993 c.18 §168; 1993 c.751 §25]

803.440 Failure to submit declaration of weight; penalty. (1) A person commits the offense of failure to submit a declaration of weight if the person does not submit a declaration of weight for a vehicle described in this subsection when the person applies for registration of the vehicle or has the vehicle registered in the person's name and the vehicle has been altered or reconstructed. This section applies to the following vehicles:

(a) Any vehicle required to establish registration weight under ORS 803.430.

(b) Any commercial bus.

(c) Any vehicle registered as a farm vehicle under ORS 805.300.

(d) Any vehicle registered under the proportional registration provisions of ORS 826.009 or 826.011.

(2) The offense described in this section, failure to submit a declaration of weight, is a Class D traffic violation. [1983 c.338 §232; 1989 c.43 §24; 1989 c.723 §11; 1993 c.751 §26]

803.445 Authority of counties and districts to impose registration fees; rules; maximum amount. (1) The governing body of a county may impose registration fees for vehicles as provided in ORS 801.041.

(2) The governing body of a district may impose registration fees for vehicles as provided in ORS 801.042.

(3) The Department of Transportation shall provide by rule for the administration of laws authorizing county and district reg-

istration fees and for the collection of those fees.

(4) Any registration fee imposed under this section shall be imposed in a manner consistent with ORS 803.420.

(5) No county or district may impose a vehicle registration fee that would by itself, or in combination with any other vehicle registration fee imposed under this section, exceed the amount of the fee imposed under ORS 803.420 (1). The owner of any vehicle subject to multiple fees under this section shall be allowed a credit or credits with respect to one or more of such fees so that the total of such fees does not exceed the amount of the fee imposed under ORS 803.420 (1). [1989 c.864 §2]

(Renewal)

803.450 Notice of pending expiration; exceptions; effect of failure to receive; records. (1) The Department of Transportation shall notify the registered owner of a vehicle registered by this state of the approaching expiration of the vehicle's registration. The notice required by this subsection shall comply with all of the following:

(a) The notice shall be mailed to the owner of the vehicle at the address shown in department records.

(b) The notice shall be mailed a reasonable time before expiration date of the registration.

(2) The department shall not be required to notify the registered owner of an approaching expiration if the department has reason to believe:

(a) The vehicle has been sold, wrecked or stolen;

(b) The registered owner is ineligible to renew the registration;

(c) There is a dispute with regard to the title of the vehicle; or

(d) The registered owner failed to notify the department of a change of address as required by ORS 803.220.

(3) Failure to receive notice of expiration from the department is not a defense to a charge of driving with an expired vehicle registration. However, the court may dismiss the charge if the owner registers the vehicle before the scheduled court appearance.

(4) Department records concerning notice under this section are subject to ORS 802.210. [1983 c.338 §233; 1985 c.253 §5; 1989 c.43 §25; 1993 c.751 §91; 1995 c.733 §85]

803.455 Failure to renew; fee; penalty. (1) A person commits the offense of failure to renew vehicle registration if the registration period for a vehicle registered in the person's name expires and the person does not pay the fee required for renewal of registration.

(2) This section does not apply if the vehicle is no longer required or qualified to be registered in this state when the registration period expires.

(3) The fee required to be paid for renewal of registration under this section is the same fee that is required for registration of the vehicle under ORS 803.420.

(4) The offense described in this section, failure to renew vehicle registration, is a Class D traffic violation. [1983 c.338 §234; 1985 c.16 §89; 1985 c.305 §11]

803.460 Certification or other proof of compliance with financial responsibility requirements; rules. The Department of Transportation shall not renew the registration of a motor vehicle unless one of the following occurs:

(1) The owner of the vehicle certifies compliance with financial responsibility requirements for the vehicle and certifies that the owner will remain in compliance with the requirements for the term of the registration or until the vehicle is sold. This subsection does not apply if a renewal of registration is accompanied by an application for transfer of title arising from the sale of the vehicle. Exemptions from this subsection are established in ORS 806.020. The form of certification required for this subsection shall be as required under ORS 806.180.

(2) The department receives satisfactory proof of compliance with financial responsibility requirements by some means other than the certification described in subsection (1) of this section. The department may determine by rule what constitutes satisfactory proof for purposes of this subsection. [1983 c.338 §235; 1985 c.714 §7; 1993 c.751 §92]

803.465 Proof of compliance with pollution control equipment requirements. The Department of Transportation shall not issue renewal of registration unless the department receives proof of compliance with pollution control equipment requirements under ORS 815.310. This section is not applicable to vehicles exempt from the requirements of this section by ORS 815.300 or to vehicles registered under the provisions of ORS 805.045 or 805.060. [1983 c.338 §236; 1985 c.16 §90; 1987 c.440 §4; 1989 c.22 §2]

803.470 [1983 c.338 §237; 1985 c.174 §3; repealed by 1991 c.459 §438L]

803.473 Effect of unpaid registration fees on issuance of duplicate or replacement certificate of title. On and after September 29, 1991, the Department of Transportation shall not refuse to renew

registration, transfer the certificate of title or issue a duplicate or replacement certificate of title for a camper or travel trailer solely on the grounds that prior to September 29, 1991, the owner of the camper or travel trailer owed unpaid registration fees to the department. [1991 c.459 §438m]

Note: 803.473 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 803 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

803.475 [1985 c.251 §22; 1991 c.873 §16; repealed by 1993 c.751 §106]

(Cards)

803.500 Registration card; contents. The Department of Transportation shall furnish for each vehicle and camper registered by the department, a registration card that shows all of the following information:

(1) The name of the registered owner.

(2) The make.

(3) The year model.

(4) The vehicle identification number as denoted by the title issued for the vehicle or camper.

(5) The mileage of the vehicle as reported to the department at the time the most recent title transfer was reported to the department, or the mileage reported to the department at the time the vehicle was initially titled in Oregon, whichever occurred last.

(6) The word "totaled" if the vehicle has been reported to the department as a totaled vehicle under the provisions of ORS 819.012 or 819.014, unless the reason for the report was theft and the vehicle has been recovered.

(7) Any other information required by the department. [1983 c.338 §254; 1985 c.251 §25; 1985 c.253 §6; 1985 c.668 §11; 1989 c.43 §26; 1991 c.820 §10; 1991 c.873 §16a; 1993 c.233 §49; 1993 c.751 §93]

803.505 Failure to carry registration card; penalty. (1) The owner of a vehicle that is registered in this state commits the offense of failure to carry a registration card if the owner does not place and keep the card in or on the vehicle in a manner that makes it readily available for police inspection upon request.

(2) The following apply to the offense described in this section:

(a) The owner of a commercial vehicle is not in violation of this section if a photocopy of the card is used.

(b) In the case of a camper, the owner shall keep the registration card in the transporting vehicle.

(c) In the case of a snowmobile the registration card or certificate shall be in a place that is readily accessible whether or not the snowmobile is in operation.

(3) The offense described in this section, failure to carry a registration card, is a Class D traffic violation. [1983 c.338 §255; 1987 c.217 §3; 1989 c.991 §27; 1993 c.751 §94; 1995 c.383 §40; 1995 c.774 §13; 1999 c.977 §21]

803.510 Duplicate or replacement; fee. The Department of Transportation may issue a duplicate or replacement registration card when:

(1) The department receives an application indicating the loss, mutilation or destruction of a registration card; and

(2) The fee for issuance of a duplicate or replacement card established under ORS 803.575 is paid to the department. [1983 c.338 §256; 1985 c.174 §4; 1985 c.253 §7a]

(Plates)

803.520 Issuance; fees. The Department of Transportation shall issue and deliver to the owner registration plates according to the following:

(1) Registration plates shall be issued upon filing of application for registration and payment of the appropriate registration and registration plate fees unless the department has just cause for refusing to register a vehicle or unless otherwise provided in this section.

(2) If an application for title or registration is for a vehicle that is subject to the provisions of ORS 803.210, the department may issue a permit described under ORS 803.615 while the department is determining all facts relative to the applicant's right to receive title and may issue registration plates along with the title.

(3) Before issuance of registration plates, the department must receive the manufacturing and reflectorizing fee for the registration plates. If the registration plate is a special plate authorized under ORS 805.200, the fees for the registration plate issuance are as described in ORS 805.250.

(4) Except as otherwise authorized by ORS 805.200, registration plates issued shall be as described in ORS 803.535.

(5) The department shall issue the number of plates appropriate under ORS 803.525 and any stickers provided under ORS 803.555. [1983 c.338 §257; 1985 c.16 §99; 1987 c.146 §8; 1987 c.572 §6; 1993 c.233 §50; 1993 c.741 §119]

803.525 Number of plates issued. The Department of Transportation shall issue two registration plates for every vehicle that is registered by the department except as otherwise provided in this section. Upon renewal or when otherwise provided under ORS 803.555, the department may issue stickers in lieu of or in addition to registra-

tion plates. The following shall be issued plates as described:

(1) Only one registration plate shall be issued for a moped, motorcycle, trailer, antique vehicle or vehicle of special interest registered by the department.

(2) Only one plate shall be issued for a camper that is registered. Stickers may be issued in lieu of a plate. [1983 c.338 §258; 1985 c.668 §12; 1989 c.43 §27; 1991 c.407 §28; 1993 c.741 §119a; 2001 c.25 §1; 2003 c.655 §114]

803.530 Period of validity; transfer; replacement. Registration plates assigned to a vehicle by the Department of Transportation shall remain with the vehicle to which the plates are assigned and are valid only during the registration period for which the plates are issued except as provided in the following:

(1) The department may allow registration plates to be transferred to another vehicle upon receipt of an application and payment of a plate transfer fee under ORS 803.575 in addition to any required registration fee. The department shall transfer registration plates under this subsection unless the department determines that the plates are:

(a) So old, damaged, mutilated or otherwise rendered illegible as to be not useful for purposes of identification; or

(b) Not any of the following:

(A) From a current issue of registration plates;

(B) Customized registration plates described under ORS 805.240;

(C) Oregon Trail commemorative registration plates issued under section 113, chapter 741, Oregon Laws 1993; or

(D) Special registration plates issued under ORS 805.255, 805.260 or 805.263.

(2) The owner of a registered vehicle to which a plate is assigned may replace a registration plate that is illegally altered or that is lost, destroyed or mutilated in a manner that renders illegible any identification on the plate. The following apply to this subsection:

(a) To replace a plate under this subsection, the owner must apply to the department for replacement of the damaged or lost plate in a form prescribed by the department and pay the replacement plate fee established under ORS 803.575.

(b) The application must state the facts of the damage, destruction or loss of the plate.

(c) The department, in lieu of replacement, may issue duplicate plates for the same fee as charged for replacements.

(d) The plates issued under this subsection are valid only for the period of the plates replaced.

(3) This section does not apply to special interest registration plates approved under ORS 805.210. [1983 c.338 §259; 1985 c.16 §100; 1985 c.174 §5; 1985 c.243 §3; 1985 c.570 §3; 1987 c.158 §163; 1993 c.741 §120; 2001 c.827 §3; 2003 c.409 §8; 2005 c.71 §1]

Note: Section 2, chapter 71, Oregon Laws 2005, provides:

Sec. 2. Transfer of Oregon Trail commemorative registration plates. If an owner of Oregon Trail commemorative registration plates issued under section 113, chapter 741, Oregon Laws 1993, transferred the registration plates under ORS 805.242 before the effective date of this 2005 Act [January 1, 2006], the Department of Transportation shall consider those plates as transferred under ORS 803.530 and shall no longer consider those plates customized registration plates. [2005 c.71 §2]

803.533 Period of validity for Oregon National Guard member or military reservist. (1) Notwithstanding ORS 803.530, a registration plate assigned to a vehicle registered to a member of the Oregon National Guard or a military reservist ordered on active duty and deployed to a location outside the United States that expires while the person is on active duty shall remain valid for 90 days following the termination of active duty.

(2) The court shall dismiss the charge of improper display of validating stickers under ORS 803.560 if, when charged, the person charged was the registered owner of the vehicle and a member of the Oregon National Guard or a military reservist, and the registration plate was valid pursuant to subsection (1) of this section. [2005 c.257 §4]

Note: 803.533 was added to and made a part of the Oregon Vehicle Code by legislative action but was not added to ORS chapter 803 or any series therein. See Preface to Oregon Revised Statutes for further explanation.

803.535 Size, form, material, color, design, contents. Subject to ORS 805.105 and 805.205 and the following, the Department of Transportation shall select registration plates it issues:

(1) Registration plates shall be in the size, form and arrangement and made of materials determined by the department subject to the following:

(a) Except as otherwise provided in paragraph (f) of this subsection, the design of the registration plates shall be that chosen by the commission from entries in the contest held pursuant to chapter 572, Oregon Laws 1987.

(b) If registration plates are issued, means shall be provided for identifying the vehicle from the front and rear by means of characters or numerals.

(c) All plates shall be made with a reflective material, so as to be a fully reflectorized safety plate. The reflectorized material shall be of such a nature as to provide effective dependable brightness in the promotion of traffic safety during the service period of the plate issued.

(d) Except as otherwise authorized under ORS 805.200, all plates shall contain the distinctive number or characters assigned to the vehicle and the word "Oregon."

(e) When a pair of registration plates is issued, each plate shall bear the same identification as the other plate of the pair.

(f) The department may choose plates for vehicles that are not required to display plates from the series produced as provided in chapter 572, Oregon Laws 1987. Nothing in this paragraph prohibits the department from issuing plates from the series produced as provided in chapter 572, Oregon Laws 1987, for vehicles that are not required to display such plates.

(2) The department may provide for designation of the registration period for which the registration is issued on the plate by means of stickers described under ORS 803.555 or any other method the department determines appropriate.

(3) The department may provide plates that may be used on a vehicle for successive registration periods when validated by one or more stickers described under ORS 803.555. [1983 c.338 §260; 1985 c.16 §101; 1993 c.741 §121; 2007 c.564 §4]

803.537 [1987 c.572 §5; 1989 c.742 §5; repealed by 1993 c.741 §147]

803.538 Color of sky in graphic plates. Registration plates chosen by the commission pursuant to section 1, chapter 572, Oregon Laws 1987, shall have the colors chosen by the commission except that the sky shall be blue. [1989 c.742 §4]

803.540 Failure to display plates; exceptions; penalty. (1) A person commits the offense of failure to display registration plates if the person operates, on the highways of this state, any vehicle or camper that has been assigned registration plates by this state and the registration plates assigned to the vehicle or camper are displayed in a manner that violates any of the following:

(a) The plate must be displayed on the rear of the vehicle, if only one plate is required.

(b) Plates must be displayed on the front and rear of the vehicle if two plates are required.

(c) The plates must be in plain view and so as to be read easily by the public.

(d) The plate must not be any plate that does not entitle the holder thereof to operate the vehicle upon the highways.

(2) A person is not in violation of this section if the person is operating a vehicle or camper under and in accordance with the requirements for any of the following:

(a) A temporary application permit issued under ORS 803.615.

(b) An agent temporary registration permit issued under ORS 803.625.

(c) Provisions established under ORS 826.007, 826.009 or 826.011 for the display of registration plates or other evidence of registration on vehicles that are proportionally registered under ORS 826.009 or 826.011.

(3) The offense described in this section, failure to display registration plates, is a Class D traffic violation. [1983 c.338 §261; 1985 c.668 §13; 1989 c.43 §28; 1995 c.383 §6]

803.545 Failure to display out-of-state plates; penalty. (1) A person commits the offense of failure to display plates on an out-of-state vehicle if the person operates a vehicle that is registered in any jurisdiction other than this state and the person does not display the registration plates assigned to and furnished for the vehicle by the registering jurisdiction:

(a) For the current registration period in that jurisdiction; and

(b) Substantially as provided under ORS 803.540 for vehicles that are registered by this state.

(2) This section does not allow the display of out-of-state registration plates on a vehicle when the vehicle is required to be registered in this state by ORS 803.325.

(3) The offense described in this section, failure to display plates on an out-of-state vehicle, is a Class C traffic violation. [1983 c.338 §262; 1985 c.16 §102; 1985 c.401 §8]

803.550 Illegal alteration or display of plates; penalty. (1) A person commits the offense of illegal alteration or illegal display of a registration plate if the person knowingly does any of the following:

(a) Illegally alters a registration plate in a manner described in subsection (2) of this section.

(b) Causes a registration plate to be illegally displayed as described in subsection (3) of this section.

(c) Operates any vehicle that is displaying a registration plate that is illegally altered in a manner described in subsection (2) of this section or that is illegally displayed as described in subsection (3) of this section.

(d) Owns and causes or permits a vehicle to display a registration plate that is illegally

altered in a manner described in subsection (2) of this section or that is illegally displayed as described in subsection (3) of this section.

(2) A registration plate is illegally altered for purposes of this section if the plate has been altered, modified, covered or obscured in any manner including, but not limited to, the following:

(a) Any change of the color, configuration, numbers, letters or material of the plate.

(b) Any material or covering, other than a frame or plate holder, placed on, over or in front of the plate that alters the appearance of the plate.

(c) Any frame or plate holder that obscures the numbers, letters or registration stickers, so as to render them unreadable.

(3) A registration plate is illegally displayed for purposes of this section if the plate:

(a) Is displayed on a vehicle other than the vehicle for which the plate was issued; or

(b) Displays registration stickers that contain an expiration date that is different from the expiration date shown upon the vehicle registration records of the Department of Transportation.

(4) Subsection (2) of this section does not apply to the following:

(a) Any placement of registration stickers described under ORS 803.555.

(b) Any public official who displays or performs any alteration of a registration plate in the course of official duties.

(c) Any special interest registration plate approved under ORS 805.210.

(5) Subsection (3)(a) of this section does not apply to a vehicle dealer authorized to use and operate vehicles displaying the dealer's plates under ORS 822.040.

(6) The offense described in this section, illegal alteration or illegal display of a registration plate, is a Class B traffic violation. [1985 c.243 §2; 2007 c.192 §1]

(Stickers)

803.555 Replacement. The owner of a registered vehicle to which registration stickers are assigned may replace a registration sticker that is lost, destroyed or mutilated in a manner that renders illegible any identification of the sticker. To replace a registration sticker under this section, the owner must apply to the Department of Transportation for a replacement of the damaged or lost sticker in a form prescribed by the department and pay the replacement sticker fee established under ORS 803.575. The application must state the facts of the damage, destruction or loss of the stickers. The stickers issued under this section are valid only for the period of the stickers replaced. Provision for replacement of registration plates is made under ORS 803.530. [1983 c.338 §267; 1985 c.16 §107; 1985 c.174 §6; 1989 c.76 §3; 1993 c.741 §122]

803.560 Improper display; penalty. (1) A person commits the offense of improper display of validating stickers if the person owns or drives a vehicle on which the display of registration stickers provides proof of valid registration and:

(a) The stickers are not displayed in a manner required by the Department of Transportation; or

(b) The stickers are displayed on the vehicle after the registration period shown on the stickers.

(2) The offense described in this section, improper display of validating stickers, is a Class D traffic violation. [1983 c.338 §268; 1993 c.751 §27]

803.565 Removal of stickers upon sale of vehicle by dealer or towing business. (1) Except as provided in subsections (2) and (3) of this section, when a person who has a vehicle dealer certificate issued under ORS 822.020 or a towing business certificate issued under ORS 822.205 sells a motor vehicle that has valid Oregon registration plates, the person shall remove the registration stickers from the registration plates of the vehicle if the vehicle:

(a) Has a gross vehicle weight rating of 8,000 pounds or less;

(b) Is designed to carry passengers; and

(c) Is not a motorcycle, moped or snowmobile.

(2) A person who has a vehicle dealer certificate issued under ORS 822.020 need not remove registration stickers under subsection (1) of this section if:

(a) The person submits title and registration documents to the Department of Transportation on behalf of the buyer of the vehicle; or

(b) The person sells the vehicle to another person who has a vehicle dealer certificate issued under ORS 822.020.

(3) A person who has a towing business certificate issued under ORS 822.205 need not remove registration stickers under subsection (1) of this section if the person sells the vehicle to a person who has a vehicle dealer certificate issued under ORS 822.020 or to a person who has a dismantler certificate issued under ORS 822.110. [2003 c.600 §2; 2005 c.61 §1; 2005 c.654 §40]

Note: 803.565 was added to and made a part of the Oregon Vehicle Code by legislative action but was not added to ORS chapter 803 or any series therein. See Preface to Oregon Revised Statutes for further explanation.

(Fees)

803.570 Plate manufacturing fee. Except as otherwise specifically provided by law, the Department of Transportation shall collect the fee described by this section each time the department issues a registration plate upon the registration of a vehicle or at other times when a registration plate is issued by the department. The following all apply to the fee established by this section:

(1) The fee shall be in addition to any other fee collected upon issuance of a registration plate.

(2) The fee for each registration plate issued and for each pair of plates issued shall be determined by the department and shall be established by the department by rule. The department shall establish fees for a single plate and for a pair of plates under this section by:

(a) Determining the cost of manufacturing a single plate or a pair of plates and rounding the cost to the next higher half-dollar; and

(b) Adding $10 for a single plate and $20 for a pair of plates. [1983 c.338 §269; 1985 c.16 §108; 2003 c.618 §48; 2009 c.865 §44]

803.575 Fees for cards, plates and stickers; issuance; replacement; transfer. (1) The fee for issuance of a duplicate or replacement registration card under ORS 803.510 is $5.

(2) The fee for issuance of a replacement or duplicate registration plate under ORS 803.530 is the fee established under ORS 803.570, together with a fee of $5 if the plate is issued at the time of renewal of registration or a fee of $10 if the plate is issued at any other time.

(3) The fee for transfer of registration plate under ORS 803.530 or 803.590 is $6.

(4) The fee for issuance of replacement registration stickers under ORS 803.555, is $10.

(5) The fee for issuance of both replacement or duplicate registration plates and replacement registration stickers, when issued at the same time, is the fee established under ORS 803.570, together with a fee of $5 if the plate and stickers are issued at the time of renewal of registration or a fee of $10 if the plate and stickers are issued at any other time.

(6) A fee paid under subsection (2), (4) or (5) of this section includes the cost of any duplicate or replacement registration card issued. [1983 c.338 §271; 1985 c.16 §110; 1985 c.174 §8; 1985 c.736 §2; 1987 c.750 §8; 1993 c.751 §95; 1999 c.1009 §1; 2001 c.668 §2]

803.577 Fee for identification device for proportionally registered vehicle. Except as otherwise specifically provided by law, the Department of Transportation shall collect the fee described by this section each time the department issues an identification device for the proportional registration of a vehicle. The following apply to the fee established by this section:

(1) The fee shall be in addition to any other fee collected upon issuance of a registration plate.

(2) The fee for each device issued shall be determined by the department and shall be established by the department by rule.

(3) The department shall establish the fees under this section based on cost. [1991 c.284 §26]

803.580 [1983 c.338 §220; repealed by 1987 c.750 §12]

803.585 Registration fees as substitute for taxes on vehicles; exemptions. (1) Except as otherwise provided in this section or ORS 801.041 or 801.042, the registration fees under the vehicle code are in lieu of all other taxes and licenses, except municipal license fees under regulatory ordinances, to which such vehicles or the owners thereof may be subject. Fixed load vehicles are not exempt from ad valorem taxation by this section.

(2) Travel trailers subject to registration and titling under the vehicle code are not subject to ad valorem taxation, but may be reclassified as manufactured structures and made subject to taxation as provided in ORS 308.880. [1983 c.338 §221; 1989 c.864 §8; 1991 c.459 §438h; 2003 c.655 §115]

(Miscellaneous)

803.590 Disposition of plates and refund of fees when certain vehicles are destroyed or withdrawn from service. (1) The owner of a vehicle described in this subsection shall be permitted to transfer the registration plates from the vehicle to a like vehicle to be similarly used if the vehicle is destroyed or permanently withdrawn from service within this state and if the registration fee for the vehicle was more than $10. To make a transfer of registration under this section, the owner of the vehicle shall pay the Department of Transportation a registration transfer fee established under ORS 803.575, file a statement indicating the withdrawal or destruction with the department and surrender any registration card issued for the vehicle. If the weight in the declaration of weight of the vehicle receiving the transferred registration exceeds that of the

vehicle destroyed or withdrawn, the owner must pay registration fees on the increased weight. This subsection applies to the following vehicles:

(a) Motor trucks with a registration weight of more than 10,000 pounds.

(b) Truck tractors with a registration weight of more than 8,000 pounds.

(c) Commercial buses.

(2) If a vehicle described under this subsection is destroyed accidentally so as to be incapable of further operation, the person in whose name the vehicle is registered is entitled to a refund of that portion of the fee applicable to the then unexpired portion of the registration period. Any registration card and registration plates issued for the vehicle must be surrendered to the department for cancellation when application for refund is made under this section. Claims for refunds under this section shall be filed and paid as provided for refunds under ORS 802.110. To qualify for a refund under this section, a registration fee in excess of $10 must have been paid for the vehicle, the vehicle must have been registered in this state and the vehicle must be one of the following:

(a) A motor truck with a registration weight of more than 10,000 pounds.

(b) A truck tractor with a registration weight of more than 8,000 pounds.

(c) A travel trailer or camper. [1983 c.338 §219; 1985 c.253 §2; 1987 c.750 §9; 1989 c.43 §29; 1989 c.103 §1; 1989 c.723 §12; 1993 c.751 §96; 2003 c.655 §116; 2005 c.770 §4]

VEHICLE PERMITS

803.600 Trip permits; authority granted; types; records; rules; when not required. A trip permit grants authority to temporarily operate a vehicle on the highways of this state under circumstances where the operation would not otherwise be legal because the vehicle is not registered by this state or because provisions relating to the vehicle's registration do not allow the operation. The Department of Transportation shall provide for the issuance of trip permits in a manner consistent with this section. All of the following apply to permits issued under this section:

(1) The department shall issue the following types of trip permits to authorize the described type of operation and, except as provided in subsection (2) of this section, may not issue trip permits for any other purpose:

(a) A heavy motor vehicle trip permit may be issued for a motor vehicle with a combined weight or loaded weight of more than 8,000 pounds or that is a fixed load motor vehicle, and that is not registered in this state. A permit described in this paragraph is valid for 10 consecutive days.

(b) A heavy trailer trip permit may be issued for a trailer that will be operated on the highways at a loaded weight of more than 8,000 pounds or that is a fixed load vehicle, and that is not registered to allow operation of the vehicle in this state. A permit described in this paragraph is valid for 10 consecutive days. This paragraph does not apply to travel trailers.

(c) A light vehicle trip permit may be issued for a vehicle with a combined weight or loaded weight of less than 8,001 pounds that is not a fixed load vehicle and that is not registered to allow operation of the vehicle in this state. Permits described in this paragraph may be issued for a period of 21 consecutive days. The department may not issue more than two permits under this paragraph in a 12-month period for any one vehicle unless all registered owners of the vehicle are replaced by new owners. If there is a complete change in ownership of the vehicle, as shown by the registration records for the vehicle, a new owner may receive permits for the vehicle under this paragraph as if no permits had been issued for the vehicle. This paragraph does not apply to campers, travel trailers or motor homes, which are eligible for recreational vehicle trip permits under paragraph (d) of this subsection.

(d) A recreational vehicle trip permit may be issued for a period of up to 10 consecutive days for a camper, travel trailer or motor home that is not registered for operation in this state. A person buying a recreational vehicle trip permit must show proof satisfactory to the Department of Transportation that the person is the owner of the camper, travel trailer or motor home for which the permit will be granted. A person may not receive recreational vehicle trip permits authorizing more than 10 days of operation in any 12-month period. A person who applies for a recreational vehicle trip permit must certify that the person has not been granted permits that together, and including the permit applied for, exceed the maximum number of days of operation allowed by this paragraph.

(e) A registration weight trip permit may be issued for a vehicle that is registered in this state, to allow the vehicle to be operated with a greater combined weight or loaded weight than is permitted by the registration weight established for the vehicle or at a greater combined weight or loaded weight than is otherwise permitted under the registration for the vehicle if the vehicle is not required to establish a registration weight. A permit issued under this paragraph does

not authorize movements or operations for which a variance permit is required under ORS 818.200. A permit issued under this paragraph shall show the maximum registration weight allowed for operation under the permit. A permit issued under this paragraph is valid for 10 consecutive days.

(f) A registered vehicle trip permit may be issued for a vehicle that is registered in this state to allow the vehicle to operate under conditions or in ways not permitted by the terms of the vehicle registration. The department shall determine by rule the kinds of operation for which permits may be issued under this paragraph. A permit issued under this paragraph is valid for 10 consecutive days.

(2) The department shall allow a person issued a vehicle dealer certificate under ORS 822.020 or a towing business certificate under ORS 822.205 to issue a 10-day trip permit to a person who buys a motor vehicle from the person with the certificate if the registration stickers are removed in accordance with ORS 803.565. The following apply to trip permits issued under this subsection:

(a) A permit issued under this subsection allows operation of the motor vehicle in this state for the purpose of registering the vehicle.

(b) A permit issued under this subsection is valid for a period of 10 consecutive days.

(c) A person with a vehicle dealer certificate or a towing business certificate may not issue more than two permits under this subsection for the same motor vehicle.

(3) The following requirements for records are established concerning permits issued under this section:

(a) Any carrier regulated by the department shall maintain records of heavy motor vehicle and heavy trailer trip permits and registration weight trip permits issued to the carrier as required by the department by rule.

(b) Requirements for the department to maintain records concerning trip permits are established under ORS 802.200.

(4) An owner or operator of a vehicle may obtain a trip permit. The fees for issuance of trip permits are as provided under ORS 803.645.

(5) The department shall make the trip permits available to all field offices and agents maintained by the department and may make arrangements for the issuance of the permits by designated individuals, firms or associations for the convenience of the motoring public. This subsection does not require the department to make trip permits described in subsection (2) of this section available to anyone other than persons with vehicle dealer certificates or towing business certificates.

(6) The department may also sell heavy motor vehicle, heavy trailer and registration weight trip permits in advance of issuance to contractors, transportation companies and other users for issuance to their own vehicles or vehicles under their control.

(7) The department shall adopt rules for the issuance, sale and control of trip permits.

(8) Trip permits are not required for the operation of unregistered vehicles where such operation is permitted as follows:

(a) By vehicle dealers as permitted under ORS 822.040.

(b) By vehicle transporters as permitted under ORS 822.310.

(c) By towing businesses as permitted under ORS 822.210.

(9) Trip permits are not required for the operation of unregistered vehicles where such operation is permitted under ORS 803.305.

(10) Unregistered vehicles that are operated without a trip permit are subject to the prohibitions and penalties for operation of unregistered vehicles under ORS 803.300 or 803.315, as appropriate.

(11) A trip permit may be issued to a school vehicle registered under ORS 805.050 for use of the vehicle for purposes not permitted under ORS 805.050. [1983 c.338 §272; 1985 c.16 §111; 1985 c.313 §4; 1985 c.547 §16; 1989 c.723 §13; 1991 c.284 §19; 1991 c.360 §4; 1991 c.407 §29; 1993 c.174 §9; 1995 c.733 §86; 1997 c.421 §1; 2001 c.412 §1; 2003 c.600 §3; 2003 c.655 §117; 2007 c.50 §3]

803.601 Disposition of fees collected for certain permits. Fees collected by the Department of Transportation for recreational vehicle trip permits described in ORS 803.600 shall be transferred to the State Parks and Recreation Department Fund established by ORS 390.134 and are continuously appropriated to the State Parks and Recreation Department for the purposes specified in ORS 390.134. [1997 c.421 §3; 2003 c.14 §463]

Note: 803.601 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 803 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

803.602 Statement of insurance coverage for certain trip permits. An applicant for a light vehicle trip permit, a recreational vehicle trip permit for a motor vehicle or a trip permit issued under ORS 803.600 (2) must submit, at the time of application, a statement indicating that the vehicle that will be operated under the permit is covered by an insurance policy that meets the re-

quirements of ORS 806.080 and will continue to be covered by the policy for as long as the permit is valid. The statement shall include the name of the insurer and the policy number. The Department of Transportation or, if the permit is issued under ORS 803.600 (2), the person with the vehicle dealer certificate or towing business certificate shall refuse to issue a permit to a person who does not submit the statement required by this section. [1991 c.360 §2; 1993 c.751 §28; 2001 c.412 §2; 2003 c.600 §5]

Note: 803.602 was added to and made a part of ORS chapter 803 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

803.605 Erroneous issuance of trip permit; refund of fee. When the Department of Transportation determines that it has erroneously issued a trip permit to a person who did not require the permit, the department may refund to the person any fee the person paid for the permit. [1985 c.313 §6]

Note: 803.605 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 803 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

803.610 Reciprocity permits. A reciprocity permit is a vehicle permit that may be issued to identify vehicles operating under a reciprocal agreement established under ORS 802.500. When required by an agreement, the Department of Transportation shall provide for the issuance of reciprocity permits as authorized by the agreement. All of the following apply to the issuance of permits under this section:

(1) The issuance of permits shall comply with the agreement authorizing their issuance.

(2) Permits may be used to identify vehicles entitled to operate within the areas described in an agreement. [1983 c.338 §273; 1985 c.668 §16]

803.615 Temporary permit for registration applicant. The Department of Transportation may issue a temporary permit in a form determined by the department to an applicant for registration to permit the applicant to operate the vehicle while the department is determining all facts relative to the right of the applicant to receive title, regular registration plates and regular registration. [1983 c.338 §276; 1985 c.16 §112; 1985 c.401 §10; 1987 c.146 §9; 1993 c.233 §52]

803.620 [1983 c.338 §277; 1989 c.109 §2; repealed by 1989 c.43 §37]

803.625 Temporary registration permits issued by dealers; rules. (1) The holder of a current, valid vehicle dealer certificate issued under ORS 822.020 may issue temporary permits for the operation of vehicles or the transporting of a camper pending the receipt of permanent registration from the department.

(2) Forms for temporary permits issued under this section shall be furnished and, subject to ORS 803.640, prescribed by the department.

(3) The department shall specify, by rule, the procedures to be followed by persons issuing and using temporary permits issued under this section. Persons violating rules established by the department under this subsection are subject to penalty under ORS 803.630 and 803.635. [1983 c.338 §278; 1985 c.284 §3; 1997 c.583 §8; 2001 c.827 §4]

803.630 Agent violation of temporary registration permit procedures; penalty. (1) A person commits the offense of agent violation of temporary registration permit procedures if the person is authorized to issue temporary registration permits under ORS 803.625 and the person violates any rules adopted by the Department of Transportation concerning the procedures for issuing the permits.

(2) The offense described in this section, agent violation of temporary registration permit procedures, is a Class B traffic violation. [1983 c.338 §279]

803.635 Improper use of temporary registration permit; penalty. (1) A person commits the offense of improper use of temporary registration permit if the person is issued a temporary registration permit under ORS 803.625 and the person does any of the following:

(a) Violates any rule adopted by the Department of Transportation under ORS 803.625 concerning the use of the permit.

(b) Fails to keep the permit on and upon the vehicle during the period until the receipt of the permanent registration plates.

(c) Fails to remove the permit from the vehicle upon receipt of permanent registration plates.

(2) The offense described in this section, improper use of temporary registration permit, is a Class D traffic violation. [1983 c.338 §280; 1995 c.383 §7]

803.640 Prohibition on showing name or address on permit. (1) Vehicle permits issued under ORS 803.600 to 803.615 that are required to be displayed so as to be visible from the outside of a vehicle shall not show the name or address of the registered owner of the vehicle or of the person who has applied for registration or titling of the vehicle.

(2) The Department of Transportation may require that permits described in this section contain the driver license number of the registered owner or of the person who has applied for registration or titling of the

vehicle displaying the permit and the name of the state that issued the driver license.

(3) If the department determines that the information authorized by subsection (2) of this section is not sufficient to identify the registered owner or person who has applied for registration or titling of a vehicle issued a permit described in this section, the department may require that the person operating the vehicle have in the person's possession any information the department determines is necessary for identification. Such information, if required, shall be on a form prescribed by rule by the department and may not be required to be displayed so as to be visible from outside the vehicle. [1985 c.284 §2; 1993 c.751 §97]

803.645 Fees for trip permits. Fees for trip permits issued under ORS 803.600 are as follows:

(1) For a heavy motor vehicle trip permit, $43.

(2) For a heavy trailer trip permit, $10.

(3) For a light vehicle trip permit, $30.

(4) For a recreational vehicle trip permit, $30.

(5) For a registration weight trip permit, $5.

(6) For a registered vehicle trip permit, $7.50.

(7) For a 10-day trip permit issued under ORS 803.600 (2) by a person with a vehicle dealer certificate or a towing business certificate, $15. [1983 c.338 §281; 1985 c.16 §113; 1985 c.313 §5; 1985 c.400 §4; 1989 c.43 §30; 1989 c.109 §3; 1989 c.723 §14; 1991 c.284 §20; 1991 c.360 §3; 1997 c.421 §2; 2001 c.412 §3; 2003 c.600 §4; 2003 c.655 §118; 2009 c.865 §44a]

803.650 Placement of permits in vehicles; rules. (1) A permit issued under ORS 803.600, 803.615 or 803.625 shall be placed on the left side of the rear window of the vehicle unless:

(a) The vehicle has no rear window; or

(b) The design of the vehicle or of any equipment lawfully added to the vehicle is such that a permit placed as required by this section could not easily be seen from outside the vehicle.

(2) The Department of Transportation shall adopt rules for the placement of permits that cannot be placed on the left side of the rear window of a vehicle. [1987 c.166 §2]

803.655 Improper display of permit; penalty. (1) A person commits the offense of improper display of a permit if the person is issued a permit under ORS 803.600, 803.615 or 803.625, and the person does not display the permit on the vehicle in the manner required by ORS 803.650 or as required by the Department of Transportation by rule.

(2) The offense described in this section, improper display of a permit, is a Class D traffic violation. [1987 c.166 §4; 1995 c.383 §8]

803.660 Color and size of permits. The color and size of the print on permits issued under ORS 803.600, 803.615 and 803.625 shall be such that the permits can easily be read. [1987 c.166 §3; 1999 c.359 §5; 2003 c.655 §119]

803.665 Towing commercial fishing boat without permit. Notwithstanding ORS 803.600, a person may tow the person's own commercial fishing boat without a trip permit and regardless of the weight permitted under the registration of the trailer if the combined weight of the towing vehicle, the trailer and the boat is 15,000 pounds or less. [1989 c.992 §12b]

CHAPTER 804

[Reserved for expansion]