Chapter 806

2009 EDITION

Financial Responsibility Law

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GENERAL PROVISIONS

806.010 Driving uninsured prohibited; penalty. (1) A person commits the offense of driving uninsured if the person operates a motor vehicle in this state on any highway or premises open to the public in this state without either:

(a) The person being insured while driving the vehicle under a motor vehicle liability insurance policy that meets the requirements described under ORS 806.080; or

(b) The person or the owner of the vehicle providing the Department of Transportation with other satisfactory proof of compliance with the financial responsibility requirements of this state.

(2) Exemptions from this section are established under ORS 806.020.

(3) In addition to other penalties under this section the following apply:

(a) A person who is involved in a motor vehicle accident at any time the person is in violation of this section is subject to suspension of the person's driving privileges under ORS 809.417.

(b) A person who is convicted of violating this section is subject to ORS 806.230, if the person does not make future responsibility filings as required by that section.

(4) A person convicted for violation of this section must file with the department, and thereafter maintain for a period of three years, proof of financial responsibility that complies with ORS 806.060. Failure to comply with this subsection is subject to ORS 809.415.

(5) The offense described in this section, driving uninsured, is a Class B traffic violation. [1983 c.338 §837; 1985 c.16 §422; 1985 c.714 §1; 1991 c.350 §1; 1991 c.702 §4; 2003 c.402 §12]

806.011 Insurance card required; rules. An unexpired card issued as provided in ORS 742.447, or other current proof of compliance with financial or future responsibility requirements approved by rule by the Department of Transportation, shall be carried in each motor vehicle that is operating in this state and that is not exempt from compliance with financial or future responsibility requirements. Failure of the driver of a motor vehicle to show a valid card or other proof of compliance when asked to do so by a police officer is reasonable grounds for the officer to believe that the person is operating the vehicle in violation of ORS 806.010. [1993 c.746 §2]

806.012 Failure to carry proof of compliance with financial responsibility requirements; rules; penalty. (1) A person commits the offense of failure to carry proof of compliance with financial responsibility requirements if the person operates a motor vehicle in this state and does not have in the vehicle current proof of compliance with financial responsibility requirements.

(2) The Department of Transportation shall determine by rule what constitutes proof of compliance with financial responsibility requirements.

(3) This section does not apply to persons operating motor vehicles that are exempt from financial responsibility requirements by ORS 806.020.

(4) The court shall dismiss any charge under this section if, prior to the court appearance date listed on the citation, the person charged delivers to the clerk of the court named on the citation proof of compliance with financial responsibility requirements at the time of the violation.

(5) The offense described in this section, failure to carry proof of compliance with financial responsibility requirements, is a Class B traffic violation. [1993 c.751 §101; 2005 c.361 §1]

806.014 [1993 c.814 §§5,7; renumbered 809.715 in 1995]

806.016 [1993 c.814 §6; renumbered 809.716 in 1995]

806.020 Exemptions from financial responsibility requirements. This section provides exemptions from the necessity for compliance with or proof of compliance with financial responsibility requirements in accident reports under ORS 811.725, when applying for vehicle registration under ORS 803.370 or 803.460 and for operating a vehicle under ORS 806.010. The owner or operator of a vehicle is exempt, as provided by this section, from financial responsibility requirements if the vehicle involved in the accident, sought to be registered or operated is any of the following:

(1) An antique motor vehicle issued permanent registration under ORS 805.010.

(2) A farm trailer.

(3) A farm tractor.

(4) An implement of husbandry.

(5) A motor vehicle of special interest that is maintained as a collector's item and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property.

(6) A snowmobile, Class I or Class III all-terrain vehicle.

(7) Any motor vehicle not operated on any highway or premises open to the public in this state.

(8) A motor assisted scooter.

(9) An electric personal assistive mobility device. [1983 c.338 §838; 1985 c.16 §423; 1987 c.217 §4;

1989 c.991 §32; 1993 c.751 §99; 2001 c.749 §22; 2003 c.341 §5; 2009 c.257 §1]

806.030 [1983 c.338 §839; repealed by 2009 c.257 §11]

806.040 Judgments for which financial responsibility requirements established. Financial responsibility requirements are designed to provide for minimum payment of judgments of the type described in this section. For the purposes of ORS 806.130, 806.140, 809.020, 809.130 and 809.470, judgments of the type described in this section must:

(1) Have become final by expiration, without appeal, of the time within which an appeal might have been perfected or by final affirmation on appeal;

(2) Be rendered by a court of competent jurisdiction of any state or of the United States;

(3) Be upon a cause of action for damages of the type described under subsection (4) of this section or upon a cause of action on an agreement of settlement for such damages; and

(4) Be for one or more of the following kinds of damage arising out of a motor vehicle accident on public or private property:

(a) Damages, including damages for care and loss of services, because of bodily injury to or death of any person.

(b) Damages because of injury to or destruction of property, including the loss of use thereof. [1983 c.338 §840; 1985 c.16 §424; 1987 c.258 §1; 1995 c.41 §4; 2003 c.175 §4; 2009 c.257 §10]

806.050 Falsification of financial responsibility; penalty. (1) A person commits the offense of falsification of financial responsibility if the person does any of the following:

(a) Forges or, without authority, signs any evidence of proof of compliance with financial responsibility requirements.

(b) Files or offers for filing any evidence of proof of compliance with financial responsibility requirements knowing or having reason to believe that the proof is forged or signed without authority.

(c) Knowingly certifies falsely to the existence of motor vehicle liability insurance meeting the requirements under ORS 806.080 or some other means of satisfying the financial responsibility requirements or making a financial responsibility filing.

(2) A denial of coverage, signed by an officer or agent of an insurer, returned to the Department of Transportation after inquiry from the department as to the accuracy of a certification of the existence of liability insurance under ORS 806.150 or 811.725 is prima facie evidence of false certification.

(3) Any person convicted of knowingly certifying falsely to the existence of motor vehicle liability insurance or to the existence of some other means of satisfying the financial responsibility requirements shall be imprisoned for no less than three consecutive days. In no case shall the execution of the punishment imposed by this section be suspended by the court, nor shall any person subject to such punishment be sentenced to probation by the court.

(4) A person who is convicted for violation of this section is subject to ORS 806.230 if the person does not make future responsibility filings as required by that section.

(5) The offense described in this section, falsification of financial responsibility, is a Class B misdemeanor except that violation of subsection (1)(c) of this section is a Class A misdemeanor. [1983 c.338 §841; 1985 c.16 §425; 1985 c.393 §62; 1993 c.14 §27]

806.055 Giving false information about liability insurance to police officer; penalty. (1) A person commits the offense of giving false information about liability insurance to a police officer if the person knowingly gives false information about the person's motor vehicle liability insurance coverage to any police officer who is enforcing motor vehicle laws.

(2) The offense described in this section, giving false information about liability insurance to a police officer, is a Class B misdemeanor. [1991 c.330 §2]

REQUIREMENTS

(Generally)

806.060 Methods of compliance. A person who is required to comply with the financial responsibility requirements of this state must be able to respond in damages, in amounts required under this section, for liability on account of accidents arising out of the ownership, operation, maintenance or use of motor vehicles and must establish that ability by one of the methods required by this section. All of the following apply to the financial responsibility requirements of this state:

(1) To meet the financial responsibility requirements, a person must be able to respond in damages in amounts not less than those established under the payment schedule under ORS 806.070.

(2) A person may only comply with the financial responsibility requirements of this state by establishing the required ability to respond in damages in one of the following ways:

(a) Obtaining a motor vehicle liability policy meeting the requirements under ORS 806.080 that will provide at least minimum limits necessary to pay amounts established under the payment schedule under ORS 806.070.

(b) Becoming self-insured as provided under ORS 806.130. [1983 c.338 §842; 1985 c.16 §426; 1995 c.41 §5; 2003 c.175 §5]

806.070 Minimum payment schedule. (1) This section establishes a schedule of payments for the following purposes:

(a) An insurance policy described under ORS 806.080 must provide for payment of at least amounts necessary to cover the minimum required payments under this section to qualify for use for financial responsibility under ORS 806.060.

(b) A person who is self-insured under ORS 806.130 must agree to pay according to the payment schedule established by this section.

(c) The payment schedule is the minimum required payment of a judgment for purposes of ORS 809.020, 809.130 and 809.415.

(2) The schedule of payments is as follows:

(a) $25,000 because of bodily injury to or death of one person in any one accident;

(b) Subject to that limit for one person, $50,000 because of bodily injury to or death of two or more persons in any one accident; and

(c) $20,000 because of injury to or destruction of the property of others in any one accident. [1983 c.338 §843; 1985 c.16 §427; 1995 c.41 §6; 2003 c.175 §6; 2003 c.402 §13; 2009 c.66 §2]

Note: Section 3, chapter 66, Oregon Laws 2009, provides:

Sec. 3. The amendments to ORS 742.524 and 806.070 by sections 1 and 2 of this 2009 Act apply to motor vehicle insurance policies issued or renewed on or after the effective date of this 2009 Act [January 1, 2010]. [2009 c.66 §3]

806.075 Insurance requirements for person convicted of driving under influence of intoxicants. Notwithstanding any other provision of this chapter, a person convicted of driving under the influence of intoxicants under ORS 813.010 is subject to the following requirements for the method of complying with and the amounts needed to meet financial responsibility requirements and for the duration of future responsibility filings:

(1) The person must have a certificate or certificates of insurance that meet the requirements of ORS 806.270 except that the certificate or certificates must show that the person is covered by insurance that provides at least:

(a) $50,000 because of bodily injury to or death of one person in any one accident;

(b) Subject to that limit for one person, $100,000 because of bodily injury to or death of two or more persons in any one accident; and

(c) $10,000 because of injury to or destruction of the property of others in any one accident.

(2) The person must maintain future responsibility filings showing insurance coverage in the amounts specified in subsection (1) of this section for a period of three years from the date that the first filing is required. [1987 c.774 §95; 1991 c.768 §9]

(Insurance)

806.080 Insurance. (1) A motor vehicle liability insurance policy used to comply with financial responsibility requirements under ORS 806.060 must meet all of the following requirements:

(a) It must be a policy or part of a policy designating, by explicit description or by appropriate reference, all motor vehicles for which coverage is provided by the policy.

(b) It must insure the named insured and all other persons insured under the terms of the policy against loss from the liabilities imposed by law for damages arising out of the ownership, operation, use or maintenance of those motor vehicles by persons insured under the policy. The policy must include in its coverage all persons who, with the consent of the named insured, use the motor vehicles insured under the policy, except for any person specifically excluded from coverage under ORS 742.450.

(c) It must provide the minimum limits of coverage required under ORS 806.070.

(2) The requirements for the insurance may be fulfilled by the policies of one or more insurance carriers which policies together meet such requirements. [1983 c.338 §844; 1991 c.768 §8]

806.090 [1983 c.338 §845; 1999 c.59 §238; repealed by 2003 c.175 §1]

806.100 [1983 c.338 §846; 1985 c.16 §428; repealed by 2003 c.175 §1]

806.110 [1983 c.338 §847; repealed by 1995 c.41 §9]

806.115 [1995 c.41 §2; repealed by 2003 c.175 §1]

806.120 [1983 c.338 §848; 1985 c.16 §429; repealed by 1995 c.41 §9]

(Self-Insurance)

806.130 Self-insurance. (1) To qualify as a self-insurer for purposes of financial responsibility requirements under ORS 806.060, a person must do all of the following:

(a) Apply to the Department of Transportation and be issued by the department a

certificate of self-insurance under ORS 806.140.

(b) Either:

(A) Establish to the satisfaction of the department that the person possesses and will continue to possess the ability to pay and discharge judgments described under ORS 806.040 that might be obtained against the applicant; or

(B) Be qualified under the laws of the State of Oregon or under an ordinance of a city of this state to act as a self-insurer and be acting as a self-insurer.

(c) Agree to provide the same coverage and to pay the same amounts with respect to an accident occurring while the certificate is in force that an insurer would be obligated to provide and to pay under a motor vehicle liability insurance policy, including providing the coverage required under ORS 806.080 (1)(b) and uninsured motorist coverage and liability coverage to at least the limits specified in ORS 806.070.

(d) Have more than 25 motor vehicles including commercial buses registered in the person's name.

(2)(a) If an accident occurs while a certificate of self-insurance issued under ORS 806.140 is in force, the liability protection provided and the amounts paid under subsection (1)(c) of this section are secondary to any motor vehicle liability insurance or uninsured motorist coverage available to a customer of the self-insurer, an operator of the self-insured vehicle or an occupant of the self-insured vehicle unless otherwise agreed to by the self-insurer. A self-insurer is required to provide the minimum payments established under ORS 742.502 and 806.070 only when the motor vehicle liability insurance policy of a customer of the self-insurer or an operator of the self-insured vehicle does not provide the minimum required payments established in ORS 742.502 and 806.070.

(b) A self-insurer may recover from a customer of the self-insurer or an operator of the self-insured vehicle the amounts paid under subsection (1)(c) of this section.

(3) Nothing in this section requires a self-insurer to provide liability coverage when a person is operating the vehicle without permission of the self-insurer. [1983 c.338 §849; 1985 c.16 §430; 2007 c.287 §1]

806.140 Certificate; issuance; cancellation. (1) The Department of Transportation shall issue a certificate of self-insurance for purposes of financial responsibility requirements under ORS 806.060 and future responsibility filings under ORS 806.240 to any person who qualifies under ORS 806.130.

(2) The department may cancel a certificate of self-insurance issued under this section upon reasonable grounds. Failure to pay any judgment described under ORS 806.040 within 30 days after it has become final constitutes reasonable grounds for cancellation under this subsection. The department shall give not less than five days' notice and a hearing pursuant to such notice before the department may cancel under this subsection. [1983 c.338 §850]

ENFORCEMENT

806.150 Department verification program; rules. The Department of Transportation shall provide a program of verification of compliance with financial responsibility requirements under ORS 803.460 and 806.010. The program established by the department under this section shall comply with all of the following:

(1) The verification shall be based on motor vehicles registered in this state.

(2) The department may select vehicles for verification when the department considers the selection necessary or appropriate. The department may emphasize, in accordance with rules adopted by the department, verification of vehicles registered to individuals who:

(a) Have been convicted of violating ORS 806.010;

(b) Have submitted certifications of compliance with financial responsibility requirements that have been previously found to be incorrect; or

(c) The department has reasonable grounds to believe are not in compliance with financial responsibility requirements.

(3) When a vehicle is selected for verification under this section, the department shall mail a letter and certification form described under ORS 806.180 to the registered owner of the vehicle notifying the owner that the vehicle has been selected for verification and requiring the owner to respond within 30 days and certify that the owner is in compliance with financial responsibility requirements as of the date of the letter. In addition, the department may seek verification by communicating directly with an insurer or its designee.

(4) Failure of an owner either to return the certification of compliance with financial responsibility requirements to the department within 30 days after mailing by the department or to certify compliance as of the date of the letter, or a determination by the department that a certification is not accurate constitutes reasonable grounds for the department to proceed with a demand for verification under ORS 806.160.

(5) The department shall investigate all certifications returned to the department under this section as follows:

(a) If the owner certifies the existence of insurance described under ORS 806.080, the department shall forward the certification to the listed insurer to determine whether the certification is correct. An insurer shall notify the department if the certification is not correct.

(b) The department may also determine the correctness of certifications of other means of satisfying financial responsibility requirements for the vehicle.

(6) No civil liability shall accrue to the insurer or any of its employees for reports made to the department under this section when the reports are made in good faith based on the most recent information available to the insurer. [1983 c.338 §851; 1985 c.16 §431; 1985 c.714 §2; 1987 c.158 §165; 1993 c.751 §29; 2005 c.142 §1]

806.160 Demand for proof of compliance. (1) The Department of Transportation shall demand that a person provide the department, within 30 days after the date of the mailing of the demand, with satisfactory proof that the person is in compliance with the financial responsibility requirements as of the date of the letter from the department under ORS 806.150 if the department has reasonable grounds to believe that the person was or is violating any of the following, whether or not the person has been convicted of the violation:

(a) Driving uninsured under ORS 806.010.

(b) Falsification of financial responsibility under ORS 806.050.

(2) If the person cannot provide the required proof within the required time, the person is subject to penalty under ORS 806.220. [1983 c.338 §852; 1985 c.714 §3; 2001 c.104 §300; 2009 c.257 §2]

806.170 Department check on financial certification on accident reports. The Department of Transportation shall investigate all certifications of compliance with financial responsibility requirements made on reports of accidents under ORS 811.725 and 811.730. The department shall contact the insurers listed on the certifications to determine whether each certification is accurate. If the certification is not correct, an insurer shall notify the department no later than 60 days after receiving a request from the department for verification of the accuracy of the certification. [1983 c.338 §853; 2009 c.257 §3]

806.180 Information to be provided when certification of compliance required. A person who is required, under ORS 803.460 or 811.725, to certify compliance with financial responsibility requirements shall comply with the following:

(1) The person shall certify in a manner prescribed by the Department of Transportation.

(2) The applicant shall provide any information that the department requires.

(3) If the person certified the existence of a motor vehicle liability insurance policy described under ORS 806.080, the person shall report at least the following information:

(a) The name of the insurer issuing the policy; and

(b) The policy number, insurance producer's binder number or any other number that identifies the policy. [1983 c.338 §854; 1985 c.714 §4; 1987 c.158 §166; 1993 c.751 §30; 2003 c.364 §172]

806.190 Insurance carrier report of person involved in accident who is in violation of ORS 806.010; civil liability. (1) Every insurance carrier that issues property and casualty insurance policies, as defined in ORS chapter 731, in this state shall report to the Department of Transportation any person the carrier has reason to believe is involved in an accident while the person is operating a vehicle in violation of ORS 806.010. The carrier shall make the report required by this section whether or not the accident:

(a) Is a reportable accident under ORS 811.720; or

(b) Occurred on a highway or on any other premises open to the public.

(2) An insurance carrier shall file the report no later than 60 days after the carrier first has reason to believe that a person was involved in an accident while the person was operating a vehicle in violation of ORS 806.010.

(3) No civil liability shall accrue to an insurance carrier or any of its employees for reports made to the department under this section when the reports are made in good faith. [Formerly 486.097 and then 743.774; 2001 c.827 §6; 2003 c.364 §173; 2009 c.257 §4]

806.195 Information submitted by insurers; rules; use. (1) The Department of Transportation shall specify by rule:

(a) Any information that insurers shall submit to the department in addition to that specifically required by ORS 742.580.

(b) The form in which the information required by ORS 742.580 and by rules adopted under this section shall be submitted.

(2) Information submitted to the department in accordance with ORS 742.580 and with rules adopted under this section shall be:

(a) Entered into a computer system maintained by the department; and

(b) Made available to police officers in the most timely and efficient way possible. [1993 c.746 §6; 2001 c.104 §301]

FUTURE RESPONSIBILITY FILINGS

806.200 Failure to file after accident; penalty. (1) A person commits the offense of failure to make a future responsibility filing after an accident if:

(a) The person is the owner or driver of a motor vehicle involved in an accident;

(b) At the time of the accident the vehicle was operated in violation of ORS 806.010;

(c) The person does not make a future responsibility filing within 30 days after the accident; and

(d) The person is not exempt under ORS 806.210 from making a future responsibility filing.

(2) The employer of a driver is subject to the requirements and penalties under this section if the driver is an employee exempted from this section under ORS 806.210. If an employer is subject to this section, the registration of the employer's vehicles may be suspended as provided under ORS 809.050.

(3) In addition to any other penalties under this section, violation of this section subjects the violator to suspension of driving privileges as provided under ORS 809.415.

(4) The offense described in this section, failure to make a future responsibility filing after an accident, is a Class B traffic violation. [1983 c.338 §855; 1985 c.393 §63; 2003 c.402 §14; 2009 c.257 §5]

806.210 Exemption from requirement to file after accident. As appropriate, the driver or the owner, or both, are exempt from the requirement under ORS 806.200 to make a future responsibility filing if the person claiming exemption furnishes to the Department of Transportation proof of any of the following:

(1) At the time of the accident the driver was operating a vehicle owned by or leased to and operated under the direction of the United States of America, this state or any municipality or subdivision thereof.

(2) At the time of the accident the vehicle was lawfully parked.

(3) Such liability as may arise from the driver's operation of the vehicle involved in the accident was covered by some form of liability insurance which complies with the financial responsibility requirements.

(4) The owner of the vehicle involved in the accident was a self-insurer under ORS 806.130.

(5) The vehicle involved in the accident was being operated under a permit issued by the department under ORS chapter 825.

(6) At the time of the accident the owner's vehicle was being operated without the owner's permission, expressed or implied, or was parked by a person who had been operating such vehicle without the owner's permission unless the vehicle at the time of its taking had been left unattended in a condition prohibited by a regulation or ordinance designed to prevent the operation of vehicles by unauthorized persons. This subsection only exempts owners of vehicles who qualify.

(7) At the time of the accident, the driver was operating a vehicle owned, operated or leased by the driver's employer with the permission of that employer. This subsection only exempts drivers of vehicles. Owners remain subject as provided under ORS 806.200. [1983 c.338 §856; 1995 c.733 §87; 2003 c.175 §7]

806.220 Failure to file after failing verification; penalty. (1) A person commits the offense of failure to make future responsibility filing after failing verification if the person:

(a) Is unable to provide satisfactory proof of compliance with financial responsibility requirements as of the date of the letter of verification from the Department of Transportation under ORS 806.150 upon the demand of the department under ORS 806.160 within the time required by that section; and

(b) Does not, within 60 days after the date of the mailing of the demand by the department under ORS 806.160, make a future responsibility filing.

(2) The offense described in this section, failure to make future responsibility filing after failing verification, is a Class B traffic violation. [1983 c.338 §857; 1985 c.393 §64; 1985 c.714 §5]

806.230 Failure of previous violator to file. (1) A person commits the offense of failure of a previous violator to make a future responsibility filing if the person is convicted of a violation of ORS 806.010 or 806.050 and the person does not make a future responsibility filing within 30 days after the conviction.

(2) In addition to any other penalties under this section, a violator of this section is subject to suspension of driving privileges under ORS 809.415.

(3) The offense described in this section, failure of a previous violator to make future responsibility filing, is a Class A traffic violation. [1983 c.338 §858; 1985 c.393 §65; 2003 c.402 §15]

806.240 Proof of compliance with future responsibility filing requirement; filing for another; failure of proof to meet requirements. Future responsibility filings required by ORS 806.200, 806.220 or 806.230 or by any other law of this state are subject to all of the following:

(1) Except as provided in subsection (3) of this section, the person required to make the filing must file with the Department of Transportation, or have filed with the department for the benefit of the person, proof that meets the requirements of this section and must maintain the proof as required under ORS 806.245. The filing is made on the date it is received by the department if it is received during regular business hours.

(2) The proof filed under subsection (1) of this section must be:

(a) A certificate or certificates of insurance that meet the requirements under ORS 806.270; or

(b) A valid certificate of self-insurance issued by the department under ORS 806.130.

(3) The owner of a motor vehicle may make a future responsibility filing under this section on behalf of the owner's employee or a member of the owner's immediate family or household in lieu of the filing being made by the person. Filing under this subsection permits the person on whose behalf the filing is made to operate only a motor vehicle covered by the proof given in the filing. The department shall endorse restrictions, as appropriate, on any license or driver permit the person holds as the department determines necessary to limit the person's ability to operate vehicles consistent with this subsection.

(4) Whenever proof filed under this section no longer meets the requirements of this section, the department shall require the furnishing of other proof for the future responsibility filing. If other proof is not furnished, the department shall suspend the driving privileges of the person as provided under ORS 809.415 or, if applicable, any registration as provided under ORS 809.050. [1983 c.338 §859; 1987 c.258 §2; 1995 c.41 §7; 2003 c.14 §466; 2003 c.175 §8; 2003 c.402 §16; 2009 c.257 §6]

806.245 Termination of future responsibility filing requirement; reasons. A termination of the requirement to maintain a future responsibility filing does not remove a person's responsibility to comply with financial responsibility requirements. The Department of Transportation shall terminate requirements for a future responsibility filing when any of the following occurs:

(1) The person on whose behalf the filing was made dies.

(2) More than three years have passed from the date the filing was required.

(3) A person on whose behalf the filing was made requests termination and either:

(a) The person was required to file because of an error committed by the department; or

(b) The person was required to file because of an error committed by an insurance company in notifying the department regarding the correctness of a certification under ORS 806.150.

(4) A person who was required to file because of failure to respond to a department demand under ORS 806.160 requests termination and the department determines either:

(a) That the person was in fact in compliance with financial responsibility requirements as of the date of the department's letter of verification under ORS 806.150; or

(b) That the person reasonably and in good faith believed that the person was in compliance with financial responsibility requirements on the date of the department's letter of verification.

(5) A person who was required to file because of failure to prove under ORS 806.210 that the person was in compliance with financial responsibility requirements requests termination and the department determines either:

(a) That the person was in fact in compliance with financial responsibility requirements at the time of the accident; or

(b) That the person reasonably and in good faith believed that the person was in compliance with financial responsibility requirements at the time of the accident.

(6) A person's hardship permit expires and the filing was required only for issuance of the hardship permit under ORS 807.240. [1987 c.258 §4; 2009 c.257 §7]

806.250 [1983 c.338 §860; 1985 c.16 §432; 1985 c.714 §9; 1987 c.158 §167; 1987 c.258 §5; repealed by 2009 c.257 §11]

806.255 [1987 c.258 §7; repealed by 2009 c.257 §11]

806.260 [1983 c.338 §861; repealed by 2003 c.175 §1]

806.270 Certificate of insurance; requirements; presumption of completeness. (1) A certificate of insurance that is used to comply with future responsibility filing requirements under ORS 806.240 is subject to all of the following:

(a) Except as provided by ORS 806.280, the certificate must be issued by an insurance carrier doing business in this state.

(b) The certificate must show that the person required to make the future responsibility filing is covered by insurance that provides minimum coverage necessary for

payment of the schedule of payments under ORS 806.070.

(c) The certificate must show that the person required to make the future responsibility filing is either:

(A) Insured by a policy meeting the requirements under ORS 806.080 that also covers all other persons who, with the consent of the insured, use the vehicles owned by the person making the filing; or

(B) Insured against loss arising from liabilities imposed by law for damages arising out of the ownership, operation, use or maintenance of motor vehicles not owned by the person required to make the filing.

(d) The certificate must:

(A) Include the effective date of the certification;

(B) Contain the policy number; and

(C) Describe all vehicles covered by the policy unless the policy is issued with respect to all vehicles operated by the insured.

(e) The certificate must provide that the insurers will give the Department of Transportation notice of any cancellation of the policy within 10 days after the effective date of the cancellation or termination. The notice requirement under this paragraph does not apply where the insurance is terminated under ORS 806.290.

(2) The certificate or certificates must cover all vehicles that are registered in the name of or operated by the person, except vehicles that are in storage and for which the current registration plates and cards have been surrendered to the department.

(3) Unless the department has reason to believe otherwise, the department may presume that the certificate covers all vehicles described in subsection (2) of this section.

(4) The requirements under this section may be fulfilled by the policies of one or more insurance carriers. [1983 c.338 §862; 1985 c.16 §433; 1993 c.751 §31; 1999 c.59 §239; 2003 c.174 §1; 2009 c.257 §8]

806.280 When certificate of insurer not authorized to do business in this state may be used. The Department of Transportation may not accept a certificate of insurance for purposes of future responsibility filings from an insurer that is not authorized to do business in Oregon unless the insurer is an eligible surplus lines insurer as defined in ORS 735.405 or a risk retention group as defined in ORS 735.305. [1983 c.338 §863; 2003 c.175 §9; 2009 c.257 §9]

806.290 Automatic termination of insurance under future responsibility filing upon subsequent filing. An insurance policy for which a certificate of insurance is filed to comply with future responsibility requirements is terminated with respect to any operator or vehicle designated in the certificate if the operator or vehicle is also covered by an insurance policy subsequently procured and certified to the Department of Transportation. The date of termination under this section is the date the subsequent certificate is filed with the department. [1983 c.338 §864]

806.300 Failure to surrender license and registration on cancellation of future responsibility filing; penalty. (1) A person commits the offense of failure to surrender license and registration on cancellation of future responsibility filing if the person does not immediately return the person's license or driver permit and registration to the Department of Transportation when any of the following occur:

(a) A policy of insurance required under ORS 806.240 is canceled or terminated.

(b) The person neglects to furnish other proof for a future responsibility filing upon request of the department.

(2) If any person fails to return to the department the license, driver permit or registration, the department may request any peace officer to secure possession thereof and return it to the department.

(3) The offense described in this section, failure to surrender license and registration on cancellation of future responsibility filing, is a Class C misdemeanor. [1983 c.338 §865; 1985 c.16 §434; 1985 c.393 §66; 2003 c.175 §10]