

TRAFFIC NEWSLETTER

DMV Administrator's Office 1905 Lana Avenue NE Salem, Oregon 97314

Vol. 20 No. 3, October 2009

Medium-Speed Electric Vehicles ● HB 2001 provides a definition, registration type and registration fee for Medium-Speed Electric Vehicles. A Medium-Speed Electric Vehicle is defined as not being capable of traveling at a speed greater than 35 mph. Medium-Speed Electric Vehicles are restricted to operating on roads with posted speeds of no more than 45 mph; however, the bill also contains a provision for cities and counties to set local ordinances permitting these vehicles to operate on roads with a speed limit greater than 45 mph. The department will be ready to title and register Medium-Speed Electric Vehicles when they are manufactured to meet U.S. Department of Transportation passenger vehicle safety standards.

Medium-Speed Electric Vehicles will be registered at DMV beginning October 1, 2009. A title must be issued for these vehicles in order to obtain registration and license plates. These vehicles will be registered for two years from the date of original issuance and will receive a pair of registration plates with a MS00000 configuration. The plates will be issued on a yellow background.

DMV will record convictions for operating a medium-speed electric vehicle on a highway where the speed limit is greater than 45 mph using the existing conviction for low-speed vehicles. The DD11 Manual and Guide to Oregon Records will be updated to reference the ORS and conviction for medium-speed electric vehicles.

For additional information, please call (503) 945-5000 or (503) 299-9999 (Portland Metro Area), or visit the DMV website.

Changes to Oregon's Consumer Warranty Law: New "Lemon Law Buyback"

Title Brand ● Consumers who discover that they have purchased a new motor vehicle with major defects have certain protections under Oregon's "lemon law." Passed by the 1983 Legislature, this law gives purchasers of "lemons" the right to receive a new vehicle or a refund of the vehicle purchase price less a reasonable allowance for use. It is important to note that the law is designed to deal with major defects that substantially impair the use or safety of a motor vehicle.

Senate Bill 515, passed by the 2009 Legislature, makes changes to the lemon law, including a new requirement for DMV to add the notation "Lemon Law Buyback" to a title and vehicle record when the manufacturer repurchases a motor vehicle under Oregon's consumer warranty law and must title the vehicle in the manufacturer's name.

SB 515 applies only to motor vehicles (no trailers, campers, etc.) and only to motor vehicles purchased or leased on or after the operative date of September 21, 2009.

SB 515 requires that manufacturers and subsequent sellers must provide the buyer, lessee or transferee with a notice that states:

This vehicle was repurchased by its manufacturer in accordance with Oregon's consumer warranty law because of a defect in the vehicle. The title to this vehicle has been permanently inscribed with the notation "Lemon Law Buyback."

DMV does not need to see or validate the "Lemon Law Buyback" notice from the seller to the new owner required by this law.

The "Lemon Law Buyback" brand will print in the "Title Brands" box on the front of the title in the same location where other brands currently print. The word "NONE" will display in the brand box when there is no brand on the vehicle record.

For more information on the "Lemon Law Buyback" title brand, visit DMV's website at:
<http://www.oregon.gov/ODOT/DMV/vehicle/lemonlaw.shtml>

For questions regarding Oregon's Lemon Law, please visit the Department of Justice website at:
<http://www.doj.state.or.us/finfraud/lemonlaw.shtml>

New Fines for Traffic Violations ● Effective October 1st, 2009, Oregon's Minimum Base Fines for Violations and Crimes have been increased.

[The new fines for traffic violations are as follows:](#)

| Violation Level | STANDARD | ACCIDENT | HWZ/SC |
|-----------------|----------|----------|--------|
| New A | 472 | 544 | 724 |
| New B | 287 | 323 | 400 |
| New C | 190 | 215 | 251 |
| New D | 142 | 154 | 172 |

New Minimum Base Fines
for Traffic Violations -
Effective October 1st,
2009 (Per HB 2287)

As an example, a Safety Belt citation is a Class D Violation with a \$97.00 fine. Beginning October 1st, 2009, the fine will be increased to \$142.00

The full 2009 Minimum Base Fine Schedule has been released by the State Court Administrator.

To download the full base fine schedule, please go to this website link:

<http://www.ojd.state.or.us/web/ojdpublications.nsf/schedules>

HB 2427 ● ORS 813.095 (refusal to take a breath test) was amended during the 2009 legislative session to include refusal to take a urine test. The revised offense (refusal to take a test for intoxicants) applies to anyone who is arrested for driving under the influence of intoxicants on or after January 1, 2010, and refuses to take a breath test or urine test requested under the provisions of Oregon's implied consent law. The offense is separate from, and in addition to, any driving privilege suspension(s) imposed for refusing the breath and/or urine test. Convictions under the revised statute will appear on the driving record as REFUSE TEST.

DMV is revising form 735-75 (Implied Consent Combined Report) in Section 1 of the “rights and consequences” portion of the form to inform the person of these additional consequences of refusing a urine test. The updated form will be distributed to law enforcement agencies prior to January 1st, 2010, and should be used for all arrests occurring on or after that date.

2009 Motorcycle Legislation ● The 2009 Legislature passed multiple legislation that affect motorcyclists. Senate Bill 124 (effective 1/1/2010) increases the penalty for riding a motorcycle without a motorcycle endorsement from a Class B to a Class A violation. The law *requires* courts to dismiss the violation if the person presents a completion card from an ODOT-approved motorcycle safety course **and** gets their motorcycle endorsement. Offenders will have 120 days to provide proof to the courts that they have completed training and acquired their motorcycle endorsement from DMV. A motorcycle endorsement is listed on the front of the driver license as an “M”.

The Legislature also passed Senate Bill 546, which will require all persons who seek a motorcycle endorsement for the first time to take an approved motorcycle safety training course beginning 1/1/2011. The requirement is phased-in over a five-year period and is based on age.

Oregon’s approved motorcycle safety courses are provided by the TEAM OREGON Motorcycle Safety Program. **There are currently no other approved courses in Oregon.** The following courses are ODOT-approved:

- The Basic Rider Training (BRT) course is the official ODOT course for beginning riders.
- The Intermediate Rider Course (IRT) is an ODOT approved curriculum for some riders based on age and year.

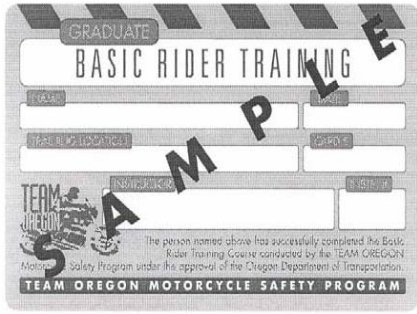
Use the following chart to determine which course is approved for which age group:

| AGE GROUP | 1/1/2010 | 1/1/2011 | 1/1/2012 | 1/1/2013 | 1/1/2014 | 1/1/2015 |
|-----------|----------|----------|----------|----------|----------|----------|
| 16-20 | BRT | BRT | BRT | BRT | BRT | BRT |
| 21-30 | BRT, IRT | BRT | BRT | BRT | BRT | BRT |
| 31-40 | BRT, IRT | BRT, IRT | BRT | BRT | BRT | BRT |
| 41-50 | BRT, IRT | BRT, IRT | BRT, IRT | BRT | BRT | BRT |
| 51-60 | BRT, IRT | BRT, IRT | BRT, IRT | BRT, IRT | BRT | BRT |
| 60+ | BRT, IRT | BRT, IRT | BRT, IRT | BRT, IRT | BRT, IRT | BRT |

Customers should be directed to the TEAM OREGON website at www.team-oregon.org for information on how to register for a class.

Sample completion card from the *Basic Rider Training (BRT)* course:

Sample completion card from the *Intermediate Rider Training (IRT)* course:



For additional information, please visit www.OregonDMV.com or call Customer Assistance, Salem, (503) 945-5000; Portland Area, (503) 299-9999; Eugene/Springfield, (541) 686-7855; TTY, (503) 945-5001, or call your local DMV office.

OREGON DRIVER AND MOTOR VEHICLE SERVICES