

# TRAFFIC NEWSLETTER

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

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**2003 LEGISLATION** ● A list of some of the bills that the Department of Transportation is following this session appeared in the April 2003 issue of the *Traffic Newsletter*. Here is an update on which of those bills have passed so far. All bills are effective January 1, 2004 unless specified otherwise. Bill information is available at [www.leg.state.or.us/billsset.htm](http://www.leg.state.or.us/billsset.htm). Under "Measure text," click on "Full text of 2003 measures in HTML" to read bills. Under "Measure history" you can select an option to view the current status of bills.

## **Accidents**

HB 2933 raises the reporting threshold for property damage accidents to \$1,500. Also, requires accident report if there is damage to property other than a vehicle or if a vehicle must be towed.

## **Alcohol and Drug-related**

SB 348 Increases the maximum fine for DUII if a child is a passenger in the vehicle. Allows the court to decide whether to allow the driver to participate in a diversion program. Governor signed.

## **Driving Privileges**

HB 2214 authorizes a hardship permit for driving to and from drug treatment programs and to seek employment. Governor signed. Emergency declared.

HB 2263 amends ORS 807.250 to prohibit issuance of a hardship permit to a person whose driving privileges are suspended for failure to appear or failure to comply. Governor signed.

SB 187 prohibits issuance of hardship or probationary driver permit authorizing person to operate a commercial motor vehicle. Governor signed.

SB 245 breaks up ORS 809.410 into several shorter statutes dealing with suspension and revocation of driving privileges. Governor signed.

SB 289 requires ODOT to allow use of bioptic telescopic lens in vision test. Specifies circumstances for operation. Requires completion of rehabilitation training. Provides for issuance of limited vision learner's permit, driver license and instruction driver permit. Governor signed. Effective 6/10/03. Sunsets 6/30/08.

## **Traffic-Related**

HB 2176 creates the offense of failure to maintain a safe distance from an emergency vehicle or ambulance. Class B traffic violation. Governor signed.

HB 2338 amends ORS 811.205 to prohibit carrying a minor (person under 18) in the open bed of a motor vehicle or other external part of a motor vehicle. Governor signed. Effective 91<sup>st</sup> day following adjournment.

HB 2422 creates the offense of failure to yield to a traffic patrol officer. Class A traffic violation.

HB 2736 creates the crime of interfering with a firefighter or emergency medical technician.  
HB 3001 extends sunset date for imposition of double fines for certain offenses in certain safety corridors. Governor signed. Emergency.  
SB 179 defines school zone, speeding in a school zone and when children are present. Governor signed.  
SB 189 creates the offense of organizing a speed racing event. Class C misdemeanor.  
SB 315 revises laws regarding driver duties relating to certain pedestrians. Governor signed.  
SB 387 provides that person traveling on through road has right of way at uncontrolled T-intersection. Governor signed.  
SB 663 directs ODOT to conduct a study on the feasibility of expanding the number of places where U-turns are permitted. Governor signed.  
SB 764 relates to the number of photo red light cameras allowed for certain cities. Governor signed.

### **Vehicle Equipment**

HB 2398 permits three headlights on motorcycles and allows certain lights other than headlights. Governor signed.  
SB 181 replaces ODOT “approval of vehicle equipment” with “establishing standards for vehicle equipment.” Makes changes to some specific equipment requirements, i.e., exempts motorcycles from requirement to be equipped with windshield wipers and allows covers on certain lights when use is not required. Governor signed.  
SB 182 creates exemption from requirements for use of booster seat if the back seat of the vehicle is not equipped with shoulder belts, if a lap belt is used. Governor signed.  
SB 795 requires protective headgear for riders of skateboards, scooters and in-line skates who are under 16 years of age. Maximum fine is \$25. Governor signed.



**MEDICALLY AT-RISK DRIVER PROGRAM** ● DMV has adopted the new rules relating to the mandatory and voluntary medical reporting program and driver reexamination. You can read the new rules at <http://odot.state.or.us/rules/>. Click on “Recently Adopted Rules” then scroll down to the title “At-Risk Drivers.”

Under DMV's Medical and Re-examination programs, there may be times when a person is issued a restricted license to allow them to obtain driving instruction. This type of restricted license serves a purpose that is similar to an instruction permit issued to new drivers, but has much tighter restrictions.

These restricted licenses will be in the form of a letter on DMV letterhead, and will authorize the person to drive only while receiving lessons from a commercial driving instructor or other licensed driver approved by DMV, and will be valid only for a period of 60 days. No other driving, under any circumstances, will be authorized by the restricted license letter. The person must have the restricted license letter in their possession and be accompanied by the instructor at all times while driving.

The DMV record will show a “J” restriction, but because the license is temporary (60 days), the driver will not be issued a new driver license showing the restriction. Law enforcement will

continue to obtain information on the status of a person's driving privileges and license restrictions just as they do now. A violation of this restriction is a Class B traffic violation, pursuant to ORS 807.010. The person may or may not have an identification card issued by DMV, but even if they have been issued an identification card, there is no requirement that they have it in their possession while driving. Only the restricted license letter is required to be in their possession.

If you have questions, Tami Boss, DMV Driver Programs, can be reached at (503) 945-5502.

