

Principal Provisions of the "Motor Vehicle Operator's Law" of Oregon

Definitions:

1. The term "highway" includes any state highway, county road, district road, public street, avenue, parkway or public way in any county, city, town or village, except any expressway which may be set apart by law for the exclusive use of horses, light carriages or pedicabs. (Section 1, Chapter 299, Laws 1919.)

2. The term "motor vehicle" as used in this law includes all vehicles propelled by any power other than muscular power. (Section 1, Chapter 299, Law 1919.)

3. An "operator" is defined as any person other than a chauffeur, who operates or drives a motor vehicle on the "highways" of the state. (Section 6, Chapter 3, Laws Special Session, 1920.)

Qualifications for Obtaining Operator's License.

4. No person other than a licensed chauffeur, shall operate or drive a motor vehicle in Oregon after July 1, 1920, unless he shall have issued to him an operator's license by the secretary of state. And further, no operator's license can be issued by its secretary of state to any person less than 16 years of age and who has not had at least five days of experience in the operation and driving of motor vehicles. (Section 4, Chapter 3, Laws Special Session, 1920.)

Procedure for Obtaining Operator's License.

5. Applications for "operator's" licenses shall be made to the secretary of state on blanks furnished by that official and shall be signed by the applicant. Such applications shall contain the applicant's full weight, occupation, color of hair, color of eyes, date of birth and a statement of his experience in the operation and driving of motor vehicles and that he is not mentally or physically incapacitated as the law defines, and be accompanied with the prescribed fee of 25 cents.

Persons Less Than 16 Years of Age Can Not Operate Motor Vehicles.

6. The law provides that no person, whether or not the owner of a motor vehicle, who is less than 16 years of age or who is mentally incompetent or physically incapacitated as defined in such law shall operate or drive any motor vehicle on any public highway in this state.

7. Under no conditions whatever or by any officer or individual does the law authorize the giving of permission to any person under 16 years of age to operate or drive motor vehicles on the highways of the state.

8. It is the duty of any person who is the owner or custodian of any motor vehicle to permit any person who is less than 16 years of age to operate or drive any such motor vehicle or to let any person so operate or drive any such motor vehicle.

9. The secretary of state upon receipt of an application for an operator's license, if he finds the same in due form and the applicant measures up to the requirements of the law, issues a license to the applicant, which license is numbered and contains the description of the applicant as set forth in his application. Upon the receipt of a license from the secretary of state the license must attach his usual signature thereto, otherwise it will not be valid, when it will remain continuously in force except during a period of suspension or until revoked as the law provides. In case of loss or mutilation the licensee may obtain a duplicate of his operator's license from the secretary of state upon filing an affidavit with that official showing the fact of loss or destruction and paying a fee of 25 cents therefor. Also every licensed operator must notify the secretary of state of any change in his place of residence within one week after such change is made. Such license must be carried by the licensee at all times when operating a motor vehicle and must be produced by him for inspection upon request of any peace officer.

Reckless and Negligent Operators May Be Refused Licenses.

10. The secretary of state may refuse to issue a license to any applicant for an operator's or chauffeur's license who is shown by proper evidence to be a reckless or negligent operator or driver endangering the safety of the public, or an habitual violator of the provisions of the motor vehicle law.

Penalties for Violations of the Law.

11. Persons who violate any of the provisions of the law or who fail to provide themselves with the proper permit, license or licenses, therein prescribed, are subject to punishment by fine not in excess of four hundred dollars, or by imprisonment in the county jail not to exceed one year, or both fine and imprisonment in the discretion of the court. Justices of the peace and district judges are given concurrent jurisdiction with the circuit courts to try and dispose of violations of the provisions of this law.

Suspension of Licenses.

12. The secretary of state may at any time suspend and operator's or chauffeur's license upon the request, or recommendation of a magistrate, sheriff or chief of police, or city or town marshal, for any cause which he may deem sufficient, when he is of the opinion from the statements

accompanying such magistrate's, sheriff's, chief of police, or city or town marshal's request that the holder thereof is an improper or incompetent person or physically or mentally incompetent to operate or drive a motor vehicle. But in either of such cases to be governed by the safety of the public, and not to exercise such authority in an arbitrary manner, and neither operator's or chauffeur's license shall be restored but shall become revoked and annulled for a period of one year from the date of suspension, unless upon application within thirty days after suspension, and upon a hearing, the secretary of state shall determine that the operator or chauffeur shall again be permitted to drive motor vehicles in this state.

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