

ODOT / DRIVER AND MOTOR VEHICLE SERVICES

TRAFFIC NEWSLETTER

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

February 2024

HB3055: Commercial Driving Privilege, DUII and Diversion	Effective: January 1, 2023
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Per the Federal Motor Carrier Safety Administration (FMCSA), 49 CFR 384.226, drivers who are commercial driving privileges (CDP) holders are not eligible to enter into a diversion agreement. FMCSA calls this practice "masking", and it is strictly prohibited.

- **§ 384.226 Prohibition on masking convictions.**

The State must not mask, defer imposition of judgment, or allow an individual to enter into a diversion program that would prevent a CLP or CDL holder's conviction for any violation, in any type of motor vehicle, of a State or local traffic control law (other than parking, vehicle weight, or vehicle defect violations) from appearing on the CDLIS driver record, whether the driver was convicted for an offense committed in the State where the driver is licensed or another State.

Prior to the passage of House Bill 3055, DMV did not have the statutory authority to comply with this federal regulation and suspend CDP holders who were granted DUII diversion.

- After the passage of HB 3055 and effective January 1, 2023, DMV will suspend a CDP holder when we receive a DUII diversion report. This is in accordance with ORS 809.510(g).

A CDP holder is defined in ORS 807.018.

807.018 Persons considered to hold commercial driving privileges. A person holds commercial driving privileges for the purposes of the Oregon Vehicle Code if:

- (1) The person has an unexpired commercial learner driver permit; or
- (2) The person's most recently issued driver license is or was a commercial driver license issued by the Department of Transportation or the licensing agency of another jurisdiction, without regard to whether:
 - (a) The person's commercial driver license has expired; or
 - (b) The person's commercial driving privileges are suspended, canceled or revoked.

If you have any questions, please contact Margaret Geer at Margaret.J.GEER@odot.oregon.gov

Cave Junction Office Closure	Effective: December 22, 2023
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The Cave Junction DMV, located at 103 S Kirby, is a one-person-run office that has served the community since January of 1982. The employee retired December 2023. Cave

Junction customers may go to the Grants Pass DMV office (30 miles away) at 162 NE Beacon Drive, Suite 127, for in person services

Grants Pass DMV office hours are:

8 a.m. – 5 p.m. Mondays and Tuesdays

10 a.m. – 5 p.m. Wednesdays

8 a.m. – 5 p.m. Thursdays and Fridays

DMV's decision to close the Cave Junction office and refer customers to Grants Pass was made by balancing multiple factors—including an expiring office lease, plus building and technology constraints—with the desire to provide consistent customer service to the region.