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PERMANENT ADMINISTRATIVE ORDER

DMV 28-2023

CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILED

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ARCHIVES DIVISION
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& LEGISLATIVE COUNSEL

FILING CAPTION: Motorcycle Skills Test Waiver When Surrendering License From a Jurisdiction With Reciprocity Agreement With DMV

EFFECTIVE DATE: 11/14/2023

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AMEND: 735-062-0080

NOTICE FILED DATE: 08/29/2023

RULE SUMMARY: DMV amended this rule to permit applicants from countries that have a reciprocal agreement with DMV to obtain motorcycle endorsements without taking a motorcycle knowledge or skills test if their current credential has an equivalent motorcycle endorsement.

CHANGES TO RULE:

735-062-0080

Waiving Drive Test Portion of Driver License Examination ¶¶

(1) DMV will waive the actual demonstration of an applicant's ability to drive a Class C vehicle required by ORS 807.070(3) if all of the following apply:¶¶

(a) The applicant surrenders to DMV a driver license issued to the applicant by another state, the District of Columbia, a United States Territory, a Canadian Province or a jurisdiction with whom DMV has a reciprocity agreement and the driver license has not been expired for more than one year or, if the person's driver license issued by a jurisdiction listed above, has been lost or stolen, the applicant submits a letter of clearance, as required in OAR 735-062-0007.¶¶

(b) The surrendered, lost or stolen license authorizes the driving of a vehicle other than a moped or motorcycle.¶¶

(c) The surrendered, lost or stolen license includes no restrictions other than a single restriction or a combination of restrictions comparable to restrictions imposed on an Oregon driver license.¶¶

(d) The applicant has no physical disabilities or impairments which may necessitate any restrictions other than:¶¶

(A) "With corrective lenses";¶¶

(B) "Outside or side-view mirror(s)"; or¶¶

(C) The restriction(s) imposed on the applicant's surrendered, lost or stolen driver license issued by another jurisdiction.¶¶

(e) The applicant has no mental or physical condition or impairment that causes DMV to reasonably believe the applicant's condition or impairment affects the applicant's ability to operate a motor vehicle without endangering the safety of persons or property.¶¶

(2) In addition to section (1) of this rule, DMV will waive the actual demonstration of an applicant's ability to drive a Class C non-commercial vehicle required by ORS 807.070(3) if:¶¶

- (a) The applicant passes a traffic safety education course approved by the Transportation Safety Division under ~~ORS 802.345~~336.802;¶
- (b) The drive test administered during the traffic safety education course meets or exceeds the requirements of a Class C non-commercial drive test conducted by DMV; and¶
- (c) The applicant provides a Driver Education Certificate of Completion card, as described in OAR 735-062-0140, that was issued within two years prior to the submission of an application for a Class C non-commercial driver license.¶
- (3) DMV will waive the actual demonstration of an applicant's ability to operate a motorcycle if:¶
- (a) The applicant surrenders to DMV a motorcycle-endorsed driver license issued to the applicant by another state, the District of Columbia, a United States Territory ~~or~~, a Canadian Province, a jurisdiction with whom DMV has a reciprocity agreement, or submits a clearance letter as provided for in subsection (1)(a) of this rule; and¶
- (b) The applicant meets the qualifications in subsections (1)(c), (d) and (e) of this rule.¶
- (4) In addition to section (3) of this rule, DMV will waive the actual demonstration of an applicant's ability to operate a motorcycle if:¶
- (a) The applicant passes a motorcycle skills test given during a motorcycle rider education course established by the Transportation Safety Office under ORS 802.320; or¶
- (b) The applicant meets the qualifications in OAR 735-062-0078(1)(b).¶
- (5) Evidence of passing the motorcycle skills test identified in section (4) of this rule is as described in OAR 735-062-0140.¶
- (6) DMV will waive the actual demonstration of an applicant's ability to operate a motorcycle if the applicant applies for a restricted motorcycle endorsement that only authorizes the person to operate a motorcycle with more than two wheels and has successfully completed the motorcycle knowledge test as required in OAR 735-062-0040.¶
- (7) DMV may not waive the actual demonstration of an applicant's ability to operate a motor vehicle if the applicant has not met all requirements described in OAR chapter 735, divisions 74 or 76, including but not limited to an applicant who is:¶
- (a) A returning Oregon resident who was previously subject to requirements under OAR chapter 735, divisions 74 or 76, who did not complete all requirements prior to being issued a license in another jurisdiction; or¶
- (b) An individual reported to DMV under OAR chapter 735, divisions 74 or 76, while a resident of another jurisdiction and has not met the requirements established by DMV as a result of receiving the report.
- Statutory/Other Authority: ORS 184.619, 190.485, 802.010, 807.070, 807.072, 807.080, 807.170
- Statutes/Other Implemented: ORS 190.485, 807.070, 807.072, 807.080, 807.170