

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rules(s) adopted on May 20, 2009 by the
Date prior to or same as filing date.

Oregon Department of Transportation, Driver and Motor Vehicle Services Division 735
Agency and Division Administrative Rules Chapter Number

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to become effective June 1, 2009 Rulemaking Notice was published in the March 2009 Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Proof of Residency or Domicile; Establishing Intent to Remain or Return to Oregon
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

ADOPT: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

AMEND: 735-016-0030 and 735-016-0070

REPEAL:

ORS 184.616, 184.619, 802.010, 803.350, 803.370, 807.050, 807.062, 821.080 and Sec. 3, Ch. 99. OL 2007 None
Stats. Auth. Other Authority

ORS 802.500, 802.520, 803.200, 803.300, 803.325, 803.350, 803.355, 803.360, 807.370, 807.010, 807.040, 807.045, 807.050, 807.062, 807.400, 821.080 and 826.033
Stats. Implemented

RULE SUMMARY

Only a person who is domiciled in or a resident of Oregon qualifies for an Oregon driver license, identification card or vehicle registration in Oregon. To be domiciled in Oregon for these purposes, a person must intend to remain in the state or, if absent, to return to it. ORS 803.355. OAR 735-016-0030 establishes what proof DMV will accept to show that a person is domiciled in Oregon. DMV amended OAR 735-016-0030 to clarify that a true copy of a filed Oregon income tax return rather than the payment of income taxes in Oregon is acceptable as proof of domicile. DMV does not want to inadvertently exclude a person who is domiciled in Oregon and must file an Oregon tax return, but does not make enough money to actually pay Oregon income tax. The rule was further amended to describe when an Oregon tax return is acceptable to DMV as proof of domicile.

OAR 735-016-0070 establishes what documents DMV will accept as proof of residency or domicile. DMV amended OAR 735-016-0070 to clarify when an Oregon income tax return is acceptable as proof of residency or domicile.

Authorized Signer Thomas L. McClellan _____
Printed Name Date

* With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.
** The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday. ARC 930-2005