

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rules(s) adopted on August 19, 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 upon filing through February 17, 2010
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Consular corps registration plates and group registration plates.
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: 735-040-0098

AMEND: 735-040-0097, 735-046-0010, 735-046-0050

SUSPEND:

ORS 184.616, 184.619, 802.010, 805.200, 805.205, 805.220 and sections 2 & 3, chapter 621, Or Laws 2009 None
Stats. Auth. Other Authority

ORS 803.420, 803.530, 803.535, 805.220, 805.240, 805.242, 805.250 sections 2 & 3, chapter 621, Oregon Laws 2009
Stats. Implemented

RULE SUMMARY

This temporary rulemaking implements legislation enacted by the 2009 Legislative Assembly.

Section 2 of chapter 621, OL 2009 requires DMV to issue consular corps registration plates to a resident of Oregon who has been duly appointed by a foreign country as an honorary consular officer to the United States, pursuant to the Vienna Convention on Consular Relations. The legislation directs DMV to establish what it will accept as proof that a person is appointed as an honorary consul and is acting in that capacity. The temporary amendment of OAR 735-046-0010 and 735-046-0050 adds new provisions to DMV's custom plate rules to implement the requirements of section 2 chapter 621, Oregon Laws 2009. Additional amendments add procedures and requirements concerning the issuance of consular corps plates.

ORS 805.205 requires DMV to collect a surcharge amount (determined by DMV) for each non-profit group plate issued. Section 3 of chapter 621, Oregon Laws 2009, amends ORS 805.205 to require DMV to adopt by rule the surcharge amount. DMV's adoption of 735-040-0098 establishes this surcharge. The temporary amendment of 735-040-0097 requires a non-profit group applying for a group plate to specify the surcharge amount the group is requesting that DMV collect per plate upon issuance of that group's plates.

Thomas L. McClellan
Authorized Signer Printed name Date

*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Department of Transportation, Driver and Motor Vehicle Services Division
Agency and Division

735
Administrative Rules Chapter Number

In the Matter of the Temporary Amendment of OAR 735-040-0097, 735-046-0010, 735-046-0050 and the temporary adoption of 735-040-0098.

Rule Caption: Consular corps registration plates and group registration plates.

Statutory Authority: ORS 184.616, 184.619, 802.010, 805.200, 805.205, 805.220, sections 2 & 3, chapter 621, Oregon Laws 2009

Other Authority: None

Statutes Implemented: ORS 803.420, 803.530, 803.535, 805.220, 805.240, 805.242, 805.250 sections 2 & 3, chapter 621, Oregon Laws 2009

Need for the Temporary Rule(s): This temporary rulemaking is needed to implement legislation enacted by the 2009 Legislative Assembly:

Section 2 of chapter 621, Oregon Laws 2009 requires DMV to issue consular corps registration plates to a resident of Oregon who has been duly appointed by a foreign country as an honorary consular officer to the United States, pursuant to the Vienna Convention on Consular Relations.

The legislation directs DMV to establish what it will accept as proof that a person is appointed as an honorary consul and is acting in that capacity. Qualified applicants are considered eligible to receive consular corps registration plates for use on their vehicles. The temporary amendment of OAR 735-046-0010 and 735-046-0050 adds new provisions to DMV's custom plate rules to implement the requirements of section 2 chapter 621, Oregon Laws 2009. More specifically, the amendments describe what DMV will accept as proof that a person is an honorary consul. Additional amendments add procedures and requirements concerning the issuance of consular corps plates.

ORS 805.205 requires DMV to collect a surcharge amount (determined by DMV) for each non-profit group plate issued. Section 3 of chapter 621, Oregon Laws 2009, amends ORS 805.205 to require DMV to adopt by rule the surcharge amount. DMV is adopting a new temporary rule to establish this surcharge.

The temporary amendment of 735-040-0097 requires a non-profit group applying for a group plate to specify the surcharge amount the group is requesting that DMV collect per plate upon issuance of that group's plates.

Documents Relied Upon, and where they are available: Chapter 621, Oregon Laws 2009. To request a copy of the document, please contact David Eyerly at 503-945-5243. Alternatively, the document is available electronically at: <http://www.leg.state.or.us>

Justification of Temporary Rules(s): The temporary amendment of these rules is necessitated by the enactment of Chapter 621, Oregon Laws 2009, which was declared an emergency and became effective June 26, 2009. DMV finds that its failure to act promptly will delay implementation of these statutory amendments. To implement the law, DMV must adopt temporary rules for the issuance of consular corps registration plates to residents who provide proof the person is acting in the capacity of an honorary consul. The statutory amendments also require DMV to establish by rule, the amount of a surcharge upon issuance of non-profit group plate. To implement this requirement, DMV must adopt a temporary rule to establish a surcharge for these plates until a surcharge for each non-profit group plate can be adopted by permanent rule.

Authorized Signer

Thomas L. McClellan
Printed name

Date