

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 September 16, 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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Rules Coordinator Address Telephone

to become effective upon filing through March 20, 2010  
Date upon filing or later A maximum of 180 days including the effective date.

**RULE CAPTION**

Implements section 10 of chapter 448, Oregon Laws 2009 & ORS 803.015 regarding branded vehicle titles.  
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:** 735-024-0015 and 735-024-0025

**SUSPEND:**

ORS 184.616, 184.619, 802.010, 803.012, 803.015, 819.016, 819.030 and Section 10, Ch. 448, OL 2009 None  
Stats. Auth. Other Authority

ORS 803.015 & 819.030, Section 10, Ch. 448, OL 2009  
Stats. Implemented

**RULE SUMMARY**

Chapter 448, Oregon Laws 2009, amends Oregon's vehicle consumer warranty laws concerning lemon vehicles under ORS chapter 646.

Section 10, chapter 448, Oregon Laws 2009 requires a vehicle manufacturer that is required to replace a vehicle or refund the full price of a vehicle to a consumer to make a request to DMV to: (1) Title the vehicle in the manufacturer's name and inscribe (brand) the vehicle's title "Lemon Law Buyback;" and (2) Record the "Lemon Law Buyback" brand on DMV's records for the vehicle.

ORS 803.015 requires Oregon vehicle titles to contain any brand or notation specified by DMV. In order to implement section 10, chapter 448, Oregon Laws 2009, DMV is making temporary amendments to OAR 735-024-0020 and 735-024-0025 relating to update definitions and circumstances when DMV will add or remove a Lemon Law Buyback title brand on an Oregon vehicle title or Oregon Salvage Title Certificate.

\_\_\_\_\_  
Authorized Signer Thomas L. McClellan 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 735-024-0015 and 735-024-0025 Relating to Vehicle Title Brands.

**Rule Caption:** Implements section 10 of chapter 448, Oregon Laws 2009 & ORS 803.015 regarding branded vehicle titles.

**Statutory Authority:** ORS 184.616, 184.619, 802.010, 803.012, 803.015, 819.016, 819.030 and Section 10, Ch. 448, OL 2009

**Other Authority:** None

**Statutes Implemented:** ORS 803.015 & 819.030, Section 10, Ch. 448, OL 2009

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

Chapter 448, Oregon Laws 2009, amends Oregon's vehicle consumer warranty laws concerning lemon vehicles under ORS chapter 646.

Section 10, chapter 448, Oregon Laws 2009 requires a vehicle manufacturer that is required to replace a vehicle or refund the full price of a vehicle to a consumer to make a request to DMV to:

- (1) Title the vehicle in the manufacturer's name and inscribe (brand) the vehicle's title "Lemon Law Buyback;" and
- (2) Record the "Lemon Law Buyback" brand on DMV's records for the vehicle.

ORS 803.015 requires Oregon vehicle titles to contain any brand or notation specified by DMV. In order to implement section 10, chapter 448, Oregon Laws 2009, DMV is making temporary amendments to OAR 735-024-0020 and 735-024-0025 relating to update definitions and circumstances when DMV will add or remove a Lemon Law Buyback title brand on an Oregon vehicle title or Oregon Salvage Title Certificate.

**Documents Relied Upon, and where they are available:** Section 10, chapter 448, Oregon Laws 2009 (SB 515), ORS 803.015 and 819.030. 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 448, Oregon Laws 2009, which was declared an emergency and became effective June 23, 2009. DMV finds that its failure to act promptly will delay implementation of these statutory amendments. It is in the public interest for DMV to adopt temporary amendments to its vehicle title brand rules until the amendments can be adopted by a permanent rule.

\_\_\_\_\_  
Authorized Signer

Thomas L. McClellan  
Printed name

\_\_\_\_\_  
Date