

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 September 16, 2009 by the
Date prior to or same as filing date.

Oregon Department of Transportation, Motor Carrier Transportation Division
Agency and Division

740

Administrative Rules Chapter Number

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to become effective

upon filing

Date upon filing or later

Rulemaking Notice was published in the

August 2009

Month and Year

*Oregon Bulletin.***

RULE CAPTION

Adoption, amendment and repeal of rules governing motor carrier transportation of household goods

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: 740-035-0145, 740-035-0165 and 740-060-0045

AMEND: 740-035-0020, 740-035-0110, 740-035-0150, 740-035-0160, 740-060-0100 and 740-300-0035

REPEAL: 740-060-0050

ORS 184.616, 184.619,

Stats. Auth.

None

Other Authority

ORS

Stats. Implemented

RULE SUMMARY

These rules describe permits and certificates of authority issued to motor carriers, applications for authority and operations of such motor carriers. HB 2817 (Chapter 433, Or. Laws 2009), revised entry standards required to obtain a certificate of authority to provide for-hire intrastate transportation of household goods. Previously, household goods applicants and applicants for authority to provide regular scheduled transportation of passengers were held to the same application standards. HB 2817 revised entry standards for applicants for household goods authority by removing the provision for existing authorized household goods carriers to protest an application and require the applicant to prove at a hearing that the proposed service meets a public need. The bill contained rulemaking authority to establish new requirements related to a criminal background check for an applicant for household goods authority and for employees of household goods motor carriers. In addition, the bill repealed regulation of persons providing a pack or load service, increased the penalty for unauthorized transportation of household goods from \$500 to \$1,000 per violation, and requires authorized household goods carriers to include their certificate number in internet advertising. These amendments implement Chapter 433, Or. Laws 2009, update existing application requirements and update a list of cities in which household goods transportation is exempt from economic regulation. A rule regarding pack or load registration was repealed because the bill removed the registration requirement.

Gregg Dal Ponte

Authorized Signer

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.