

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 December 21, 2011 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 January 1, 2012 Rulemaking Notice was published in the October 2011 Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Rescinding Driver License Suspensions after Driver Declared No Longer Competent to Drive
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:

AMEND: 735-062-0135, 735-074-0140 and 735-076-0020

REPEAL:

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

AMEND & RENUMBER: Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ORS 184.616, 184.619, 802.010, 807.340, 807.710 & 809.419 None
Stats. Auth. Other Authority

ORS 802.010(1)(c), 807.340, 807.710 & 809.419
Stats. Implemented

RULE SUMMARY

A person who no longer drives due to deteriorating health or age related issues may have a suspension of the person's driving privileges under the At-Risk Driver Program. This suspension remains on the person's driving record even after the person has surrendered all driving privileges and can adversely impact the auto insurance rates of other members of the person's household who continue to drive. Chapter 126, Oregon Laws 2011 (HB 3128) amends ORS 809.419 to specify that a suspension ends when a person, whose driving privileges are suspended under the At-Risk Driver Program, voluntarily surrenders driving privileges by recognizing that he or she is no longer competent to drive. DMV amended OAR 735-062-0135, 735-074-0140 and 735-076-0020 in accordance with the amendments to ORS 809.419, plus specify what happens when a suspension ends and what is required if the person ever reapplies for driving privileges. OAR 735-076-0020 is further amended to remove redundant language about CDL medical qualifications, which are already detailed in OAR chapter 735, division 63.

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