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**PERMANENT ADMINISTRATIVE RULES**

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I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on Upon filing, by the  
Department of Transportation, Driver and Motor Vehicle Services Division 735

Agency and Division

Administrative Rules Chapter Number

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To become effective 01/01/2016 Rulemaking Notice was published in the October 2015 Oregon Bulletin.

**RULE CAPTION**

Medical Exemption from IID; Test Violation as Part of a Negative Report from IID

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

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

**ADOPT:**

**AMEND:**

735-064-0070, 735-064-0080, 735-064-0082, 735-118-0000, 735-118-0050

**REPEAL:**

**RENUMBER:**

**AMEND AND RENUMBER:**

**Statutory Authority:**

ORS 184.616, 184.619, 802.010, 807.240, 807.270, 813.600, 813.602 and Ch. 577, OL 2015

**Other Authority:**

None

**Statutes Implemented:**

ORS 807.240, 807.270, 813.600, 813.602 and Ch. 577, OL 2015

**RULE SUMMARY**

Chapter 577, Oregon Laws 2015 (SB 397) places new requirements on providers of ignition interlock devices (IIDs) to submit negative reports to those specified in law or to provide a certificate of no negative report at certain times. A person with a requirement to have an IID installed will continue to have the requirement unless a certificate of no negative report for the period prescribed in law is received by DMV. Chapter 577, Oregon Laws 2015 authorizes DMV to define by rule a test violation that would be considered a negative report. The law also requires that DMV prescribe by rule what form the report and certificates will take. DMV has amended OAR 735-118-0000 to include definitions for tampering, unauthorized removal, lockout and test violation. DMV has amended OAR 735-118-0050 to designate when and on what form reports required by Chapter 577, Oregon Laws 2015 must be made and to specify what constitutes a "negative report."

DMV has amended 735-064-0070 to clarify that a person who is eligible for a hardship, probationary or hardship/probationary permit may need to install an IID if the requirement for the device is continuing indefinitely as the result of DMV not receiving the necessary report to end the requirement that the person has had no negative report for 90 consecutive days.

DMV also amended OAR 735-070-0080 and 735-070-0082 for two reasons: 1) To align those rules with the law changes and changes to OAR 735-118-0040 effective January 1, 2016; and 2) To indicate that when DMV or the court issues a medical exemption from the requirement to install an IID, that the granting of the exemption may be used to terminate the requirement at the end of the period specified in law.

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