

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form

**FILED**  
4-15-16 11:26 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

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

735  
Administrative Rules Chapter Number

Lauri Kunze

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Rules Coordinator

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**RULE CAPTION**

Establishes eligibility requirements, procedures for issuance of special registration plates; updates DMV group plate rules

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

Hearing Date	Time	Location	Hearings Officer
5-18-16	10:00 a.m.	DMV Headquarters, Conf. Rm. 123, 1905 Lana Ave. NE, Salem OR	David Eyerly

**RULEMAKING ACTION**

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

**ADOPT:**

735-040-0045, 735-040-0110, 735-040-0115, 735-040-0120, 735-040-0125, 735-040-0130

**AMEND:**

735-040-0040

**REPEAL:**

735-040-0055, 735-040-0061, 735-040-0095, 735-040-0097, 735-040-0100

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

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

**Statutory Authority:**

ORS 184.616, 184.619, 802.010, 805.200, 805.205, 805.206, 805.222 and 822.225

**Other Authority:**

None

**Statutes Implemented:**

ORS 805.200, 805.205, 805.222 and 822.225

**RULE SUMMARY**

This rulemaking is needed to comply with legislation enacted by the 2015 Legislative Assembly.

DMV issues vehicle registration plates necessary to operate motor vehicles on Oregon roads. Choices for registration plates include the standard tree plate, which is issued to all passenger vehicles unless the vehicle owner chooses a non-standard plate type. Available non-standard plates include, veterans' recognition plates (i.e., Purple Heart and Gold Star Family), special registration plates (i.e., Pacific Wonderland, Crater Lake, Cultural and Wine Country), and group plates issued to non-profit groups and institutions of higher education under ORS 805.205 (i.e., Fallen Public Safety Officer, Share the Road, Oregon State University and University of Oregon). Each of these non-standard plates requires the payment of an additional fee, also known as surcharge, that DMV collects upon initial registration, and, depending on the plate, at registration renewal.

In pertinent part, House Bill 2730 (2015): (1) Amended ORS 805.205 to remove statutory language pertaining to the creation of new group plates issued to non-profit groups and institutions of higher education; (2) Repealed ORS 805.202, which limited the number of specialty plates to four plates available for issuance at any one time; and (3) Established ORS 805.222 and 805.225 directing DMV to adopt rules to establish a program for the issuance of special registration plates for 501(c)(3) non-profit groups, institutions of higher education and public bodies as defined in ORS 174.109 and to adopt rules for the administration and implementation of the special registration plate program. This

includes establishing:

- (a) General qualification requirements for non-profit groups, institutions of higher education and public bodies that wish to become eligible for a special registration plate;
- (b) When DMV may cease to issue a special registration plate; and
- (c) The process to apply for a special registration plate.

The proposed adoption of OAR 735-040-0110, 735-040-0115, 735-040-0120, 735-040-0125 and 735-040-0130 establish the procedures and requirements for the new special registration plate program. This includes general qualification requirements for organizations that wish to participate in the special registration plate program, the issuance of prepaid vouchers and the design requirements for special registration plates. The adoption of OAR 735-040-0045 sets the requirements for groups that continue to function under the old group plate program. DMV is repealing the requirements for the old group program under OAR 735-040-0055, 735-040-0061, 735-0040-0095, 735-040-0097 and 735-040-0100. The amendment of OAR 735-040-0040 updates terms and definitions to conform to the legislative Act and this rulemaking. The amendment of OAR 735-040-0040 updates terms and definitions to conform to the legislative Act and this rulemaking.

Text of proposed and recently adopted ODOT rules can be found at web site <http://www.oregon.gov/ODOT/CS/RULES/>.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

<u>05-23-2016 Close of Business</u>	<u>Lauri Kunze</u>	<u>lauri.g.kunze@odot.state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

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Establishes eligibility requirements, procedures for issuance of special registration plates; updates DMV group plate rules

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

In the Matter of:

the Amendment of OAR 735-040-0040, the Adoption of 735-040-0045, 735-040-0110, 735-040-0115, 735-040-0120, 735-040-0125, 735-040-0130 and the Repeal of OAR 735-040-0055, 735-040-0061, 735-040-0095, 735-040-0097 and 735-040-0100

**Statutory Authority:**

ORS 184.616, 184.619, 802.010, 805.200, 805.205, 805.206, 805.222 and 822.225

**Other Authority:**

None

**Statutes Implemented:**

ORS 805.200, 805.205, 805.222 and 822.225

**Need for the Rule(s):**

This rulemaking is needed to comply with legislation enacted by the 2015 Legislative Assembly.

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**Documents Relied Upon, and where they are available:**

HB 2730 (2015). To request a copy of the document, please contact David Eyerly at 503-945-5256. Alternatively, the document is available electronically at: <https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB2730/Enrolled>

**Fiscal and Economic Impact:**

This rulemaking has no known financial impact, beyond the impact of the legislation, on other agencies or business, including small business, or members of the public.

**Statement of Cost of Compliance:**

**1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):**

None

**2. Cost of compliance effect on small business (ORS 183.336):**

**a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:**

None

**b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:**

None

**c. Equipment, supplies, labor and increased administration required for compliance:**

None

**How were small businesses involved in the development of this rule?**

The proposed rulemaking implements legislation enacted by the 2015 Legislative Assembly and has no known impact on small businesses. For that reason, small businesses were not involved in this rulemaking.

**Administrative Rule Advisory Committee consulted?: No**

**If not, why?:**

As stated above, the proposed rulemaking implements legislation enacted by the 2015 Legislative Assembly and has no known financial impact, beyond the impact of the legislation. Therefore, an advisory committee was not assembled.

<u>05-23-2016 Close of Business</u>	<u>Lauri Kunze</u>	<u>lauri.g.kunze@odot.state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address