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TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

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10-19-16 1:59 PM
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I certify that the attached copies are true, full and correct copies of the TEMPORARY Rule(s) adopted on 10/14/2016 by the
Department of Transportation, Driver and Motor Vehicle Services Division 735
Agency and Division Administrative Rules Chapter Number
Lauri Kunze (503) 986-3171
Rules Coordinator Telephone
355 Capitol St. NE, MS 51, Salem, OR 97301
Address
To become effective 10/31/2016 through 04/28/2017.

RULE CAPTION

Class C Third Party Testing Program Pilot - Purpose
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:
735-061-0210
SUSPEND:

Statutory Authority:
ORS 802.600

Other Authority:
None

Statutes Implemented:
ORS 802.600

RULE SUMMARY

DMV wants to continue a pilot for a Class C Third Party Testing Program and OAR 735-061-0210 contains a specific ending date.

Lauri Kunze lauri.q.kunze@odot.state.or.us
Rules Coordinator Name Email Address

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
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accompanies this form

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

735
Administrative Rules Chapter Number

Class C Third Party Testing Program Pilot - Purpose

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 735-061-0210

Statutory Authority:

ORS 802.600

Other Authority:

None

Statutes Implemented:

ORS 802.600

Need for the Temporary Rule(s):

DMV wants to continue a pilot for a Class C Third Party Testing Program and OAR 735-061-0210 contains a specific ending date.

Documents Relied Upon, and where they are available:

None

Justification of Temporary Rule(s):

Current rule ends a Class C Third Party Testing Program pilot effective October 31, 2016. There are three businesses currently participating in this pilot program. DMV has determined that it is in the best interest of the citizens of Oregon to continue the program. There is insufficient time to complete the permanent rulemaking process, or a solicitation process without letting the program lapse. Therefore, in the interests of the businesses that currently are Class C Third Party Testers, DMV is proposing to amend OAR 735-061-0210 by this temporary rulemaking and then follow-up with a permanent rulemaking. A business currently conducting Class C Third Party tests may suffer harm if the program is halted for a period of time as they have invested in staff, advertising, vehicles, etc. to conduct this business on behalf of DMV. It clearly is not in the interest of these businesses to have a lapse in the program. It is also not in the public interest for DMV to absorb the volume of tests currently provided by these third party testers because DMV customers will likely experience an increased delay if they must schedule tests at DMV field offices.

Lauri Kunze
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