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I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on 09/16/2016 by the
Department of Transportation, Driver and Motor Vehicle Services Division 735

Agency and Division

Administrative Rules Chapter Number

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Rules Coordinator

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To become effective 09/26/2016 Rulemaking Notice was published in the August 2016 Oregon Bulletin.

RULE CAPTION

Driving Privileges - Application, Testing, Qualifications, Restrictions and Relating Provisions for Commercial and Non-Commercial Privileges

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:

735-062-0001, 735-062-0087, 735-063-0200, 735-063-0250, 735-063-0260, 735-063-0270, 735-063-0280, 735-063-0300, 735-063-0370

AMEND:

735-010-0030, 735-016-0060, 735-016-0070, 735-062-0002, 735-062-0005, 735-062-0007, 735-062-0016, 735-062-0030, 735-062-0032, 735-062-0070, 735-062-0080, 735-062-0090, 735-062-0110, 735-062-0125, 735-062-0300, 735-062-0310, 735-062-0330, 735-064-0220, 735-064-0230, 735-064-0235

REPEAL:

735-062-0075, 735-062-0150, 735-062-0200

RENUMBER:

AMEND AND RENUMBER:

735-062-0190 to 735-063-0290, 735-062-0210 to 735-063-0310, 735-063-0000 to 735-063-0205, 735-063-0050 to 735-063-0210, 735-063-0060 to 735-063-0220, 735-063-0065 to 735-063-0230, 735-063-0067 to 735-063-0340, 735-063-0070 to 735-063-0240, 735-063-0075 to 735-063-0350, 735-063-0130 to 735-063-0360, 735-063-0180 to 735-063-0380, 735-070-0185 to 735-063-0320, 735-070-0190 to 735-063-0330

Statutory Authority:

ORS 184.616, 184.619, 192.440, 802.010, 802.012, 802.179, 802.183, 802.200, 802.210, 802.220, 802.230, 802.540, 803.350, 803.370, 807.021, 807.022, 807.024, 807.040, 807.045, 807.050, 807.060, 807.062, 807.070, 807.072, 807.080, 807.100, 807.110, 807.120, 807.130, 807.150, 807.160, 807.170, 807.173, 807.220, 807.230, 807.310, 807.368, 807.400, 809.310, 809.415, 809.419, 809.480, 809.520, 809.525, 809.605, 821.080

Other Authority:

49 CFR secs. 381.300-381.330, 383.51, 383.71, 383.110-383.123, 383.131-383.135, 391.41-391.49 and 49 USC sec. 5103a

Statutes Implemented:

ORS 746.265, 801.163, 802.012, 802.200, 802.220, 802.230, 802.500, 802.520, 802.540, 803.200, 803.300, 803.325, 803.350, 803.355, 803.360, 803.370, 807.010, 807.018, 807.021, 807.022, 807.024, 807.031, 807.035, 807.040, 807.045, 807.050, 807.060, 807.062, 807.066, 807.070, 807.072, 807.080, 807.100, 807.110, 807.120, 807.130, 807.150, 807.160, 807.170, 807.173, 807.220, 807.230, 807.240, 807.270, 807.280, 807.285, 807.310, 807.350, 807.355, 807.359, 807.363, 807.368, 807.369, 807.400, 809.135, 809.310, 809.360, 809.380, 809.400, 809.411, 809.415, 809.419, 809.430, 809.480, 809.510-809.545, 809.600(2), 809.605, 821.080, 825.410, 825.412, 825.415, 825.418, 826.033

RULE SUMMARY

Effective September 26, 2016, DMV will issue a Commercial Learner Permit (CLP) in accordance with ORS 807.285 and 49 CFR 384.204.

The eligibility requirements, qualifications, testing procedures, endorsements and restrictions to be issued a CLP or commercial driver license -CDL- are different than those necessary to be issued a Class C non-commercial instruction permit, driver license, driver permit or identification card. Therefore, this rulemaking attempts to clearly delineate those differences by separating provisions of administrative rules that are specific to commercial driving privileges and consolidate them into OAR chapter 735, division 63, and removing provisions specific to commercial driving privileges from chapter 735, division 62. The expanded OAR chapter 735, division 63, also includes details regarding violations committed when operating a commercial motor vehicle or holding commercial driving privileges, sanctions, and options to regain commercial driving privileges. Once a person is issued a CLP, that person has commercial driving privileges and is subject to the various provisions of having commercial driving privileges the same as a person who has a CDL. Therefore, the term "commercial driving privileges" is used consistently throughout these rules.

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