



State of Oregon Department of Environmental Quality
**Annual Legislative Rulemaking Report
2018**
(HB 4106 (2016); ORS 192.245)

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1) Introduction

This report satisfies the requirements of HB 4106 (2016) and ORS 192.245 that require administrative agencies to annually submit a report to the legislature describing their rulemaking activities.

2) Permanent Rules

The Department of Environmental Quality adopted 54, amended 145, and repealed 5 permanent rules during 2018.

3) Temporary Rules

The Department of Environmental Quality adopted one temporary rule during 2018.

List of Temporary Rules Adopted

- OAR 340-270-0200

Justification for Rules

DEQ would be unable to partner with dealerships to issue rebates at the sale of vehicles. This would interfere with the purpose of the rules and underlying statute, which is to encourage people to purchase electric vehicles by offering rebates towards purchasing such vehicles.

Statement of Need for the Rule

The current rule did not provide the flexibility needed to implement the needed rebate procedures. The rule modified language stating DEQ must process applications on a first-come first-serve basis. This allowed DEQ to process applications submitted directly to DEQ by the recipient on a first-come, first-serve basis while entering into agreements with dealerships to issue standard rebates at the time of purchase.

Findings on failure to act promptly

The goal of benefitting Oregon's environment by encouraging people to buy more electric vehicles would be inhibited because there would be unnecessarily prohibitive restrictions on issuing rebates.

Explanation of why ORS 183.335(5) was most appropriate

State and federal policies are attempting to encourage greater use of electric vehicles to help protect and improve environmental conditions. These rebates are intended to support that policy. The wording of the originally adopted rebate rule prevented using rebates in certain circumstances. This conflicted with the previously described policies. Adopting the temporary facilitated issuing and using rebates that supports and furthers the adopted policies addressing electric vehicles.

Accessibility

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.

Obtaining copies of report

Any person can obtain a copy of the report by:

- Using the link to the report posted on DEQ's rulemaking web page: [DEQ Rulemaking Web Page](#)
- Contacting the DEQ Agency Rules Coordinator at: 700 Multnomah St. NE, 6th Floor, Portland, OR 97232