



## PERMANENT ADMINISTRATIVE ORDER

**DPSST 22-2020**  
CHAPTER 259  
DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING

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FILING CAPTION: Establishes process for handling overpayments of polygraph examiner fees for licensure.

EFFECTIVE DATE: 10/29/2020

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AMEND: 259-020-0220

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RULE SUMMARY: The Department collects fees for the polygraph examiner licensure program. The forms of payment that are accepted are business checks, cashier's checks, money orders, and credit cards. It is not uncommon to receive a fee amount greater than the amount due (overpayment). Before this rule change, the Department rejected and returned unprocessed any payment that included an overpayment. This caused delays in issuing licenses. This rule change establishes a Department process for overpayments to allow for more efficient processing of applications for polygraph examiner licenses.

Overpayments will be handled in accordance with the rule. If the overpayment amount is \$10.01 or more, the payment will be rejected and returned unprocessed to the payee for re-submission of the correct amount. If the overpayment amount is \$10.00 or less, the payment will be accepted and processed. The payee may request a refund of the overpaid amount by submitting a written request.

In addition to establishing criteria for processing overpayments, the rule change included revisions for clarity and consistency. The rule revisions did not make any changes to existing fee amounts.

CHANGES TO RULE:

259-020-0220

### Fees and Payments

(1) ~~Payments to be:~~

~~(a) The Department are due at the time of application. All payments are non-refundable and must be paid by accepts business checks, money orders, cashier's check ~~ors,~~ and credit card. ~~No personal checks or cash will be accepted.~~~~

~~(2) ts approved by the Department will. Credit charge the following fees:~~

~~(a) The fee of \$50 for the issuance of each original license as a polygraph examiner.~~

(b) The fee of \$50 for the annual renewal of ad payments may require submission of additional verification information as designated by the Department. The Department does not accept personal checks or cash.

(b) Fees for licensure as a polygraph examiner.

(c) The fee of \$50 for examination by the Department for licensure as a polygraph examiner.

(d) The fee of \$35 for the issuance of a trainee license.

(e) The fee of \$35 for the annual renewal of a pre due at the time of application.

(c) Amounts due to the Department are non-refundable and non-transferable.

(d) Applicants who choose to withdraw their application or fail to complete the application process forfeit their application fees.

(2) Fees charged by the Department include:

(a) Polygraph Examiner trainee license.

(f) The License Fee of \$5 for the issuance of a duplicate.

(b) Polygraph Examiner Trainee License.

(g) Appropriate fees must be submitted with each application Fee - \$35.

(c) Examination for licensure as polygraph examiner or as a trainee, pursuant to OAR 259-020-0170, for a fingerprint criminal records check Fee - \$50.

(d) Fingerprint Criminal History Check Fee - The current fee for processing a fingerprint criminal history check may be obtained from the Department. These fees are to recover the costs of administering the fingerprint check through the Oregon State Police and the Federal Bureau of Investigation. This fee is separate from and does not apply to any fees charged by a fingerprinting services vendor. An additional fee will be charged for the third submittal of fingerprint cards when rejected for filing by FBI. Current fee schedules for processing fingerprints may be obtained from the Department the FBI.

(e) Duplicate or Replacement License Fee - \$5; and

(f) Non-sufficient Funds (NSF) Penalty Fee - \$25.

(3) If the Department receives a payment by check and the check is returned to the Department as a non-sufficient funds (NSF) check, the payer of the fees will be assessed an NSF penalty fee in addition to the required fees.

(4) Overpayment of Amounts Due.

(a) The Department will reject payments that include an overpayment of the amount due that is \$10.01 or more.

(b) The Department may accept payments that include an overpayment of the amount due when the overpaid amount is \$10.00 or less.

(c) Overpayment amounts that are \$10.00 or less will only be refunded upon receipt of a written request from the person who made the overpayment, or the person's legal representative. The written request must be received by the Department within three years of the overpayment.

Statutory/Other Authority: ORS 703.230, ORS 293.445

Statutes/Other Implemented: ORS 703.230, ORS 703.070, ORS 703.110, ORS 703.240, ORS 293.445