**CREATED BY JAW 03-SEPT-2020**

**581-053-0009**

**Waiver**

(1) Notwithstanding any other provision of Oregon Administrative Rules Chapter 581, subject to subsection (2) of this rule, for purposes of Oregon Administrative Rules Chapter 581, Division 53, the following requirements are waived until January 31, 2020:

(a) Any requirement related to being trained in first aid, as that phrase is defined in OAR 581-053-0003. Drivers shall continue to be trained in first aid and be subject to physical examinations.

(b) Requirements pertaining to receiving approved instruction shall be temporarily waived for new drivers by allowing certificate permits to be valid through January 31, 2021. New drivers shall continue to be trained in first aid and be subject to physical examinations.;

(c) Driving certificates and approvals issued by ODE requiring a driver license shall be granted to an applicant for renewal regardless of expired status, provided no disqualifying driving or criminal records exist for the applicant and DMV is unable to issue a qualified renewal. Such approvals shall be valid through January 31, 2021.

(2)(a) The waiver described in subsection (1) of this rule applies only to a requirement necessary to perform an activity that the individual to whom the requirement applies was authorized to perform on the first date on which schools closed pursuant to Executive Order 20-08.

(b) By order, the Director of the Oregon Department of Education may rescind an application of the waiver described in subsection (1) of this rule if the director has good cause for the determination.

(c) By order, the director may extend the date specified in subsection (1) of this rule to any other subsequent date if the director has good cause for the extension and the extension is related to schools closing pursuant to executive orders issued by the Governor ordering the closure of schools for purposes related to Coronavirus Disease 2019.

(3) By order, the director may waive any other requirement necessary to perform an activity described in Oregon Administrative Rules Chapter 581, Division 53, if the director has good cause for the determination and the waiver is related to schools closing pursuant to executive orders issued by the Governor related to Coronavirus Disease 2019.

Statutory/Other Authority: ORS 327.013 & ORS 820.100-820.120

Statutes/Other Implemented: ORS 327.013, ORS 820.100, ORS 820.105, ORS 820.110 & ORS 820.120

History:

ODE 14-2020, temporary adopt filed 04/23/2020, effective 04/23/2020 through 10/19/2020