PERMANENT ADMINISTRATIVE ORDER

DMV 26-2019
CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILING CAPTION: Driver and Motor Vehicle Services (DMV) customer records

EFFECTIVE DATE: 01/01/2020

AGENCY APPROVED DATE: 12/16/2019

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RULES:
735-010-0110, 735-062-0105

AMEND: 735-010-0110

NOTICE FILED DATE: 10/15/2019

RULE SUMMARY: These amendments align the rule with legislative changes in Oregon Laws 2019, Chapter 312 which requires DMV to determine by rule the convictions that appear on a person's employment and non-employment driving record.

CHANGES TO RULE:

735-010-0110
Customer Record for Persons-
(1) DMV shall maintain, as part of a customer record, information identifying a person including, but not limited to, the name, residence address and customer number. DMV shall maintain only one customer record per person, except as provided in this section. DMV may have more than one customer record for an individual, if, for example:
(a) Information the applicant provided when conducting business with DMV is insufficient to either locate an existing customer record for that individual or confirm the applicant is the same individual covered by an existing customer record; or
(b) Vehicle records existing prior to DMV’s establishment of customer records contain insufficient information to connect that vehicle record to an individual's driving record or driver license, driver permit or identification card record.
(2) If an individual has no existing customer record or DMV is unable to locate a customer driving record, DMV shall create a customer record and shall assign the individual a customer number when the individual conducts business with DMV or when Oregon law requires the Department of Transportation to maintain a record. If the individual has been issued an Oregon driver license, driver permit or identification card, DMV shall use the number assigned to that document as the customer number.
(3) In accordance with ORS 802.200(9) DMV shall maintain a driving record on:
(a) Every person who is granted driving privileges under a driver license, driver permit, or a statutory grant of driving privileges under ORS 807.020;
(b) Every person whose driving privileges have been suspended, revoked, or canceled under the Oregon Vehicle Code;
(c) Every person who has filed an accident report under ORS 811.725 or 811.730; and
(d) Every person who is required to provide future responsibility filings under ORS 806.200, 806.220, 806.230, or 806.240.

(4) DMV shall record on the non-employment driving record a conviction for any:
(a) Traffic crime;
(b) A crime that involves the operation of a motor vehicle if that offense results in the suspension or revocation of driving privileges;
(c) A traffic violation that leads to a suspension of driving privileges; and
(d) An offense described in OAR 735-064-0220.

(5) DMV shall record on the employment driving record any conviction described in section (4) of this rule, unless otherwise prohibited by ORS 802.200.

(6) In accordance with ORS 802.200(9)(e), at the time a person is issued a commercial driving privilege in Oregon, the record received by DMV from another jurisdiction shall become part of the person’s driving record in this state. Any convictions from the other jurisdiction’s driving record will be transferred to the person's Oregon driving record using the AAMVA net Code Dictionary (ACD) code.

Statutory/Other Authority: ORS 184.6162, 184.619, 802.010, 802.200
Statutes/Other Implemented: ORS 802.200, 802.260, 803.220, 803.370, 807.050, 807.420, 807.560, 821.080
REPEAL: 735-062-0105
NOTICE FILED DATE: 10/15/2019

RULE SUMMARY: DMV repealed this OAR to align with legislative changes in Oregon laws 2019, Chapter 312 which repeals the requirement for DMV to send out an address change sticker when a person changes their address with DMV and a new driver license or identification card is not being applied for.

CHANGES TO RULE:

735-062-0105
Waiver of Replacement License or Driver Permit Fee.
For purposes of convenience, DMV will issue a replacement license or driver permit and waive the replacement fee if, after filing a change of address form, a customer does not receive the address change sticker and comes in person to a DMV field office.
Statutory/Other Authority: ORS 184.616, 184.619, 802.010, 807.390
Statutes/Other Implemented: ORS 807.160, 807.390