PERMANENT ADMINISTRATIVE ORDER

DMV 28-2019
CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILING CAPTION: Adopting rules on recreational vehicles and park model recreational vehicles to implement legislation

EFFECTIVE DATE: 01/01/2020

AGENCY APPROVED DATE: 12/16/2019

CONTACT: Ty Yoder
503-945-5256
ty.m.yoder@odot.state.or.us

DMV Vehicle Programs
1905 Lana Ave NE
Salem, OR 97314

Filed By:
Lauri Kunze
Rules Coordinator

RULES:
735-020-0090, 735-022-0140, 735-022-0150

ADOPT: 735-020-0090

NOTICE FILED DATE: 10/29/2019

RULE SUMMARY: DMV adopted OAR 735-020-0090 as a result of the passage of HB 2333 (chapter 585, Oregon laws 2019). The bill requires the owner of a recreational vehicle being converted into a structure to surrender the vehicle's title and registration, if applicable, to the department for cancellation. The rule outlines the procedure.

CHANGES TO RULE:

735-020-0090
Recreational Vehicle Conversion
(1) In accordance with Oregon Laws 2019, chapter 585, section 4, DMV will cancel the title and, if applicable, the registration of a recreational vehicle that is being converted to use as a structure when the registered owner:
(a) Provides a certification to DMV that the vehicle is being converted into a structure;
(b) Surrenders the current certificate of title; and
(c) If applicable, surrenders the registration card and registration plates.

(2) If the registered owner is unable to surrender the certificate of title, registration card or the registration plates as required under section (1) of this rule because the certificate of title, registration card or registration plates are lost or stolen, the registered owner may provide a signed statement stating the reason why they are unable to surrender the certificate of title, registration card or plates.

(3) A person who is not the registered owner of a recreational vehicle as listed in DMV records may surrender the title and registration for cancellation in accordance with Oregon Laws 2019, chapter 585, section 4 when the person:
(a) Provides proof satisfactory to DMV that the person is the owner of the recreational vehicle. Proof DMV may consider includes a valid certificate of title with a release of interest shown on the Oregon title, a bill of sale or other ownership document as described in OAR 735-022-0000.
(b) Provides a certification to DMV that the vehicle is being converted into a structure;¶
(c) Surrenders the current certificate of title; and¶
(d) If applicable, surrenders the registration card and registration plates.¶
(4) If the person is unable to surrender the certificate of title, registration card or the registration plates as required under section (3) of this rule because the certificate of title, registration card or registration plates are lost or stolen, the person may provide a signed statement stating the reason why they are unable to surrender the certificate of title, registration card or plates.¶
(5) If DMV is notified that a recreational vehicle has been converted to use as a structure, as defined in Oregon Laws 2019, chapter 585, section 4, and the registered owner has not surrendered the title and registration to DMV for cancellation, DMV will send a letter to the registered owner that requires the registered owner to submit a statement that the vehicle has not been converted to use as a structure, or surrender the title and any registration issued to DMV for cancellation within 30 days from the date of the letter.¶
(6) DMV will send the registered owner a notice of cancellation in accordance with ORS 809.090, if the registered owner does not submit a statement that the vehicle has not been converted to use as a structure, or surrender the title and any registration issued to DMV for cancellation within the 30 days provided under section (5) of this rule.
Statutory/Other Authority: ORS 184.619, 802.010, Oregon Laws 2019, Chapter 585
Statutes/Other Implemented: Oregon Laws 2019, Chapter 585
ADJOIN: 735-022-0140

NOTICE FILED DATE: 10/29/2019

RULE SUMMARY: As a result of the passage of SB 410 (chapter 422, Oregon laws 2019) and HB 2333 (chapter 585, Oregon laws 2019), DMV has adopted OAR 735-022-0140 to further define “recreational vehicle” (including park model recreational vehicles) in addition to other terms related to recreational vehicles.

CHANGES TO RULE:

735-022-0140
Definitions
The following definitions apply to terms used in OAR 735-022-150 and are in addition to the definitions found in Oregon Laws 2019, chapter 422, section 25 and Oregon Laws 2019, chapter 585, section 2:¶
(1) “ANSI” means the American National Standards Institute.¶
(2) “Builder” means a person, who is not a manufacturer, who assembled a recreational vehicle.¶
(3) “DMV” means the Oregon Department of Transportation, Driver and Motor Vehicle Services.¶
(4) “NFPA” means the National Fire Protection Association.¶
(5) “Park model recreational vehicle” or “PMRV” means a recreational vehicle that:¶
(a) Is designed for use as a temporary living quarters;¶
(b) Is built on a single chassis mounted on wheels;¶
(c) Has a gross trailer area that does not exceed 400 square feet;¶
(d) Is more than eight and one-half feet wide; and¶
(e) Is certified by the manufacturer or builder, or the applicant if the PMRV is not new and no manufacturer or builder certification is available, as complying with the version of the ANSI A119.5 standard for the construction of park model recreational vehicles that was in effect at the time of manufacture.¶
(6) “Recreational Vehicle” means a vehicle with or without motive power that is designed for use as temporary living quarters, to be easily transported and set up on a daily basis and is any one of the following:¶
(a) A vehicle that is eight and one-half feet wide or less and is certified by the manufacturer or builder as complying with the applicable version of the NFPA 1192 or 501C or ANSI A119.2 standards, depending on which standards apply to the year of manufacture, for the construction of recreational vehicles that was in effect at the time of manufacture;¶
(b) A vehicle that is eight and one-half feet wide or less and is certified by the applicant as complying with the applicable version of the NFPA 1192 or 501C or ANSI A119.2 standards if the vehicle is not new and no manufacturer or builder certification is available, depending on which standards apply to the year of manufacture, for the construction of recreational vehicles that were in effect at the time of manufacture; or¶
(c) A PMRV as defined in this rule.
Statutory/Other Authority: ORS 184.619, 802.010, Oregon Laws 2019, Chapter 422, Oregon Laws 2019, Chapter 585
Statutes/Other Implemented: Oregon Laws 2019, Chapter 422, Oregon Laws 2019, Chapter 585
RULE SUMMARY: As a result of the passage of SB 410 (chapter 422, Oregon laws 2019) and HB 2333 (chapter 585, Oregon laws 2019), DMV has adopted OAR 735-022-0150 to outline the process of obtaining an Oregon title for a park model recreational vehicle.

CHANGES TO RULE:

735-022-0150

Titling Park Model Recreational Vehicles

(1) DMV may issue an Oregon title for a PMRV when the applicant meets all of the following requirements:

(a) Submits an application for Oregon title that meets the requirements of ORS 803.050;

(b) Provides the physical address of the PMRV site;

(c) Meets the qualifications for issuance of title under ORS 803.045, including but not limited to, payment of all required fees and submission of evidence of ownership as described in OAR 735-022-0000;

(d) Except when an Oregon title was issued for the vehicle on or after January 1, 2020, submits a certification that the PMRV was constructed in compliance with the version of the ANSI A119.5 that was in effect at the time of manufacture. DMV will accept a certification on the following documents:

(A) A Manufacturer's Certificate of Origin (MCO), if the PMRV is new;

(B) A letter from the Manufacturer;

(C) A letter from the builder, if the PMRV is assembled;

(D) A completed certification on an Assembled, Reconstructed or Replica Vehicle Certification, Form 735-6511, if the PMRV is assembled; or

(E) A completed certification on the application for title, if the PMRV is assembled or not new.

(e) Certifies that the PMRV is:

(A) More than eight and one-half feet wide; and is either

(B) Not permanently affixed to land for use as a permanent dwelling; or

(C) Is located within a mobile home park, as defined in ORS 446.003;

(f) Complies with any other applicable state and federal laws, rules and regulations related to the titling of vehicles.

(2) Nothing in this rule limits DMV's discretion to request or consider other information to establish the PMRV was constructed in compliance with the ANSI A119.5 standard in effect at the time of manufacture.

Statutory/Other Authority: ORS 184.619, 802.010, 803.035, Oregon Laws 2019, Chapter 422, Oregon Laws 2019, Chapter 585

Statutes/Other Implemented: ORS 803.010, 803.035, 803.040, 803.045, 803.092, Oregon Laws 2019, Chapter 422, Oregon Laws 2019, Chapter 585