PERMANENT ADMINISTRATIVE ORDER

DMV 31-2019
CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILING CAPTION: Vehicle Trip Permits

EFFECTIVE DATE: 01/01/2020

AGENCY APPROVED DATE: 12/16/2019

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FILED
12/17/2019 10:56 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

RULES:
735-034-0010, 735-034-0050, 735-150-0040, 735-150-0080

AMEND: 735-034-0010

NOTICE FILED DATE: 10/22/2019

RULE SUMMARY: DMV amended OAR 735-034-0010 as a result of SB 57 (Chapter 312, Oregon laws 2019), which requires an applicant for a light vehicle trip permit, a recreational vehicle trip permit for a motor vehicle, or a trip permit issued under ORS 803.600(2) to submit proof indicating that the vehicle is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered by the policy for as long as the permit is valid. The rule amendments identify acceptable proof.

SB 57 also removed the requirement that a customer certify that they have not been issued recreational vehicle trip permits that would grant more than 10 days vehicle operation for the preceding 12 months. DMV has aligned this rule with the amended statute.

CHANGES TO RULE:

735-034-0010
Procedures for Issuance of Trip Permits

(1) This rule describes the procedures and requirements for vehicle trip permits issued under the authority of ORS 803.600. Vehicle trip permits may be issued by:
(a) A trip permit agent pursuant to ORS 803.600 and OAR 735-034-0005;
(b) A vehicle dealer pursuant to ORS 802.031 and OAR 735-150-0040, including a vehicle dealer who issues 10-day trip permits as described under ORS 803.600; or
(c) A towing business that issues 10-day trip permits as described under ORS 803.600.

(2) A person described under section (1) of this rule must comply with the following requirements for the issuance
of trip permits:

(a) Unless otherwise authorized in writing by DMV, trip permits must be purchased from DMV prior to issuance.

(b) Each trip permit issued must be legibly completed with the following information:

(A) The name and address of the vehicle’s registered owner or the person applying for the trip permit. The name and address is recorded on the issuer’s copy and DMV’s copy of the permit;

(B) The driver license number of the vehicle’s registered owner or the person applying for the trip permit, if available. Nothing may be written on the purchaser’s (window) copy of the permit to identify the person to whom the permit was issued;

(C) A complete vehicle description, including the year, make, body style and vehicle identification number (VIN);

(D) The written signature of the person who issues the permit. This must include at least the person’s full first and last name;

(E) The identification number of the trip permit agent, if one has been assigned by DMV, or the certificate number of the dealer or towing business;

(F) The effective date and expiration date of the permit;

(G) For a registration weight trip permit, the registration weight of the vehicle.

(c) For a light vehicle trip permit, the person who issues the permit must require the applicant to sign a certification stating:

(A) Submit proof that the vehicle is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered by the policy for as long as the permit is valid. The applicant submits the required proof by either:

(B) Submitting the insurance company name and policy number;

(B) Certifying that the motor vehicle is covered by an insurance policy that meets the requirements of ORS 806.080, and that the vehicle will continue to be covered as long as the permit is valid; or

(B) Submitting a vehicle insurance identification card for the trip permit agent to make a paper copy or electronic copy that contains the required information. The vehicle insurance identification card must provide:

(i) The insurance company name;

(ii) The policy number;

(iii) The vehicle identification number (VIN) of the vehicle for which the light vehicle trip permit will be issued; and

(iv) The policy effective date and expiration.

d) A vehicle dealer or towing business that issues a 10-day trip permit:

(A) Must ensure all Oregon registration stickers have been removed in accordance with 803.565;

(B) May not issue more than two permits for the same motor vehicle; and

(C) Must require the person applying for the permit to provide the insurance company name and policy number on the permit, and sign the certification on the permit stating that the motor vehicle is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered as long as the permit is valid.

(e) For a recreational vehicle trip permit submit proof that the vehicle is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered by the policy for as long as the permit is valid. The applicant submits the required proof by either:

(i) Submitting the insurance company name and policy number and certifying that the motor vehicle is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered as long as the permit is valid;

(ii) Submitting a vehicle insurance identification card for the trip permit agent to make a paper copy or electronic copy that contains the required information. The vehicle insurance identification card must provide:

(I) The insurance company name;

(II) The policy number;

(III) The vehicle identification number (VIN) of the vehicle for which the 10-day trip permit will be issued; and

(IV) The policy effective date and expiration.

(e) For a recreational vehicle trip permit for a motor vehicle, that is, a “motor home” as defined in ORS 801.350,
the person who issues the permit must require the applicant to:

(A) Provide proof of ownership as described in OAR 735-034-0050; and

(B) Sign a certification stating that the applicant has not been issued recreational vehicle trip permits that, when included with the permit being applied for, would grant more than 10 days vehicle use. Submit proof that the recreational vehicle is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered by the policy for as long as the operation permit is valid. The applicant submits the preceding 12 months’ required proof by either:

(C) Submit the insurance company name and policy number if the trip permit is for a motor home; and

(D) Sign the certificate on the permit, stating and certifying that the recreational vehicle is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered as long as the permit is valid if the trip permit is for a motor home; or

(ii) Submitting a vehicle insurance identification card for the trip permit agent to make a paper copy or electronic copy that contains the required information. The vehicle insurance identification card must provide:

(I) The insurance company name;

(II) The policy number;

(III) The vehicle identification number (VIN) of the vehicle for which the recreational vehicle trip permit will be issued; and

(IV) The policy effective date and expiration date.

(f) A person authorized to issue a trip permit under section (1) of this rule:

(A) Must send DMV’s copy of the permit to DMV within seven (7) days of the date a permit is issued; and

(B) May not loan, transfer or assign a trip permit to any other person.

(3) Any alteration of the permit information will automatically void the permit:

(a) When a trip permit is voided, the trip permit agent, vehicle dealer, or towing business must return the vehicle (purchaser’s) copy and DMV’s copy to DMV within seven (7) days of the date it was voided, along with an explanation of why the permit was voided. If either copy of the voided permit is unavailable for submission to DMV, the explanation must state the reason; and

(b) If DMV is satisfied that a prepaid permit was not altered or used for the operation of a vehicle, DMV will refund the prepaid permit fee to the trip permit agent, vehicle dealer or towing business that purchased the permits from DMV.

(4) Upon receipt of a written request from a trip permit agent, vehicle dealer or towing business subject to this rule, DMV will refund the fee amount for each unissued prepaid permit.

(5) Upon DMV’s written request, a trip permit agent, vehicle dealer or towing business subject to this rule must immediately cease issuing permits and immediately return all unused trip permits to DMV. DMV will issue a refund to the trip permit agent, vehicle dealer or towing business for any unused prepaid permits returned to DMV.

(6) DMV may revoke the authority of a trip permit agent, vehicle dealer or towing business to issue trip permits:

(a) For failure to comply with any provision of this rule;

(b) If DMV determines the issuance of permits is not in the interest of the public; or

(c) A change in state or federal law or regulation prohibits the issuance of trip permits as described under this rule or OAR Chapter 735, Division 034.

(7) The failure of a trip permit agent, vehicle dealer or towing business to comply with the provisions of this rule may result in the revocation of the authority to issue trip permits.

Statutory/Other Authority: ORS 184.616, 184.619, 802.010, 803.600
Statutes/Other Implemented: ORS 803.565, 803.600, 803.602, 803.645, 806.080
RULE SUMMARY: DMV removed the requirement that customers certify that they have not been issued recreational vehicle trip permits that would grant more than 10 days vehicle operation for the preceding 12 months.

CHANGES TO RULE:

735-034-0050
Issuing Trip Permits

(1) The following procedures and requirements apply to the issuance of vehicle trip permits under ORS 803.600.

(2) Trip permits are issued and are valid for a period of consecutive days based on permit type.

(3) Except as described in subsection (e) of this section, a registration weight trip permit is required for a vehicle under the following circumstances:

(a) The vehicle is registered in Oregon by loaded weight and the weight exceeds the registration weight of the vehicle declared under ORS 803.435;

(b) The vehicle is registered in Oregon by combined weight, and the combined weight exceeds the registration weight declared under ORS 803.435; or

(c) The vehicle is a commercial vehicle registered by combined weight under ORS 826.009, 826.011 or 826.031, and the weight exceeds the registration weight declared under ORS 826.015.

(d) If the vehicle is registered by combined weight under subsection (b) or (c) of this section, a registration weight trip permit is only issued to the motor vehicle used to tow a trailer or load.

(e) Subsection (b) of this section does not apply to a vehicle registered by combined weight, if the vehicle is towing a person’s own commercial fishing boat and the combined weight of the vehicle, boat and trailer is 15,000 pounds or less.

(4) A heavy motor vehicle trip permit or heavy trailer trip permit may only be issued to vehicles that are not registered in Oregon. Either permit authorizes the operation of a single, unregistered vehicle. For example, if a truck/trailer combination is not registered in Oregon, and is not operating under the authority of an interstate reciprocity agreement, then both the truck and the trailer must obtain a permit. If, however, one of the two vehicles is registered, for example, the trailer, then only the truck is required to have a permit.

(5) An applicant for a recreational vehicle trip permit must:

(a) Certify that during the preceding 12-month period they have not been issued recreational vehicle trip permits that when included with the permit being applied for would grant more than 10 days operation for the vehicle listed on the permit;

(b) Provide proof satisfactory to DMV that the applicant is the owner of the camper, travel trailer or motor home listed on the permit application. Proof DMV may consider includes a valid certificate of title, a bill of sale or other ownership document as described in OAR 735-022-0000; and

(eb) If the permit is for a motor home, provide the name and policy number of the current insurance carrier and certify that the motor home is covered, and will continue to be covered by insurance as required by ORS 806.080 for as long as the permit is valid.

Statutory/Other Authority: ORS 184.616, 184.619, 802.010, 803.600, 803.625, 803.635, 803.640, 803.655, Ch. 50, OL 2007

Statutes/Other Implemented: ORS 801.420, 803.430, 803.600, 803.625, 803.635, 803.640, 803.655, 803.665, 806.080, 810.490; Ch. 50, OL 2007
AMEND: 735-150-0040

NOTICE FILED DATE: 10/22/2019

RULE SUMMARY: DMV amended OAR 735-150-0040 as a result of SB 57 (Chapter 312, Oregon laws 2019). The bill requires an applicant for a light vehicle trip permit, a recreational vehicle trip permit for a motor vehicle, or a trip permit issued under ORS 803.600(2) to submit proof indicating that the vehicle is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered by the policy for as long as the permit is valid. The rule amendments identify acceptable proof.

CHANGES TO RULE:

735-150-0040
Designation of Dealers as Agents ¶

(1) Persons issued a dealer certificate under ORS 822.020 and who meet the qualifications set forth in OAR 735-150-0039, are designated as DMV’s agent pursuant to ORS 802.031 and may perform the duties of an agent as identified in section (4) of this rule.¶

(2) Snowmobile dealers and Class I, Class III and Class IV all-terrain vehicle dealers are designated as agents of DMV pursuant to ORS 802.031.¶

(3) DMV may impose sanctions against a dealer’s agent status as provided in OAR 735-150-0120.¶

(4) An agent of DMV may:

(a) Prepare, submit, or prepare and submit documents and collect fees necessary to title and register vehicles they sell, as provided in OAR 735-150-0050;¶

(b) Participate in DMV’s Electronic Vehicle Registration (EVR) program if approved under OAR 735-150-0041;¶

(c) Perform vehicle identification number inspections on vehicles they sell, as provided in OAR 735-022-0070, when the vehicle has been registered or titled in another jurisdiction subject to the limitations of OAR 735-022-0070;¶

(d) Issue temporary registration permits for unregistered vehicles they sell, as provided in ORS 803.625 and OAR 735-150-0060;¶

(e) Issue trip permits for unregistered vehicles they sell, as provided for in OAR 735-150-0070 and 735-150-0080;¶

(f) Issue 10-day trip permits for registered vehicles they sell, as provided in ORS 803.600, OAR 735-150-0070, 735-150-0080 and 735-034-0010. When issuing a 10-day trip permit as described in this subsection, a vehicle dealer:

(A) Must ensure any Oregon registration stickers have been removed from the registration plates in accordance with ORS 803.600;¶

(B) May not issue more than two permits for the same motor vehicle; and¶

(C) Must require the person applying for the permit to provide the insurance company name and policy number on the permit, and sign the certificate on the permit stating submit proof that the motor vehicle is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered as long as the permit is valid OAR 735-034-0010; and¶

(g) Except as provided under section (9) of this rule, prepare, submit, or prepare and submit documents and collect fees for transfers of registration plates, for vehicles they sell, in accordance with OAR 735-150-0050.¶

(5) A dealer who, on behalf of a purchaser, prepared, submitted, or prepared and submitted documents and collected fees necessary to title and register a vehicle and who then receives from DMV the registration plates, stickers or temporary registration for the vehicle, must ensure delivery of the items obtained to the purchaser. Within five working days of receipt from DMV, the dealer must:

(a) Deliver the items to the purchaser;¶

(b) Mail the items to the purchaser; or¶

(c) Advise the purchaser the items are at the dealership and, if the purchaser agrees, arrange to have the items
picked up at the dealership.

(6) The dealer must document in the dealer’s records the actions taken by the dealer to notify the purchaser or to deliver the registration plates, stickers and temporary registration.

(7) No dealer may, as a result of a dispute between the purchaser and dealer or for any other reason, withhold registration plates or stickers or temporary registration from the purchaser.

(8) Designated agents must only charge title, registration or plate transfer fees in the amount authorized by Oregon Revised Statutes and Oregon Administrative Rule when collecting such fees on behalf of DMV.

(9) A dealer may not prepare, submit, or prepare and submit an application and collect fees for the transfer of plates under subsection (4)(g) of this rule if the dealer determines the plates the purchaser wants to transfer are not from a current issue of plates, are not customized plates described under ORS 805.240 or are not eligible for transfer under ORS 803.530.

Statutory/Other Authority: ORS 184.619, 802.010, 802.031, 803.530, 803.600, 803.625, 821.060, 821.080
Statutes/Other Implemented: ORS 802.031, 803.565, 803.600, 803.602, 803.645, 821.060, 821.080, 822.005, 822.080
AMEND: 735-150-0080

NOTICE FILED DATE: 10/22/2019

RULE SUMMARY: DMV removed the requirement that customers to certify that they have not been issued recreational vehicle trip permits that would grant more than 10 days vehicle operation for the preceding 12 months.

CHANGE TO RULE:

735-150-0080
Requirements for Issuing Trip Permits

Designated dealers must comply with the following requirements when issuing trip permits:

1. Each copy of the trip permit must be completed with the following information:
   a. Name, address, driver license number and state of issue of the person issued the permit. A recreational vehicle trip permit must only be issued to the owner of the vehicle listed on the permit. This information may not be displayed on the (window) copy of the permit;
   b. If the applicant does not have a driver license or if the permit is issued to a business, nothing will be displayed on the purchaser's (window) copy of the permit to identify to whom the permit was issued. The name and address information is recorded on all other copies of the permit;
   c. A complete vehicle description, including year, make, body style and identification number;
   d. A written signature, including the full first and last name of the employee who issued the permit;
   e. Dealer certificate number;
   f. The effective date and expiration date of the permit; and
   g. The applicant's signature certifying:
      A. The insurance company name and policy number for the motor vehicle; and
      B. The motor vehicle is covered by an insurance policy that meets the requirements of ORS 806.080 and will continue to be covered as long as the permit is valid;
      C. For a recreational vehicle trip permit, that the applicant has not been issued recreational vehicle trip permits that when included with the permit being applied for, would grant more than 10 days vehicle operation for the preceding 12 months.

2. Except as specified in section (3) of this rule, DMV's copy of the trip permit must be mailed or delivered to DMV within seven (7) days of the date the permit was issued.

3. Alteration of the effective date, ownership information or vehicle description will automatically void a trip permit. When a trip permit is voided for any reason, the purchaser's (window) copy and DMV's copy of the permit and a written explanation about why the permit was voided must be mailed or delivered to DMV on the date the permit is voided. A refund of the prepaid permit fee will be made if DMV is satisfied that the permit was properly voided and not used for operation of the vehicle. If either copy of the permit is unavailable for submitting to DMV, the explanation must state why the copy is unavailable.

4. The remaining (issuer's) copy of the trip permit must be retained by the dealer.

5. Trip permits (or books of permits) may not be loaned to another dealer or individual or issued for vehicles sold by another dealer or individual.

6. Unused trip permits may be returned to DMV for a refund of fees paid.

Statutory/Other Authority: ORS 184.616, 184.619, 802.010, 803.600