PERMANENT ADMINISTRATIVE ORDER

DMV 22-2019
CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILING CAPTION: Plate Transfers for Wrecked Vehicles and Removal of Obsolete Hardship Permit Administrative Review References
EFFECTIVE DATE: 01/01/2020
AGENCY APPROVED DATE: 11/22/2019
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RULES:
735-001-0050, 735-032-0020, 735-040-0000, 735-164-0010
AMEND: 735-001-0050
NOTICE FILED DATE: 09/27/2019

RULE SUMMARY: DMV amended OAR 735-001-0050 to include the administrative review authorized under ORS 819.030 (as amended by HB 2576) for owners of a vehicle whose title and registration have been canceled and retired due to the department being notified it is totaled, wrecked, dismantled, disassembled or substantially altered. DMV also removed provisions made obsolete when the 2018 Oregon Legislature passed Senate Bill 1538 (Or Laws 2018, ch. 76), which, in part, streamlined the hardship permit process by eliminating the requirement for certain applicants to receive a judge’s approval and prohibited DMV from issuing a hardship permit to a person who has been convicted of two DUIIs. Senate Bill 1538 also repealed ORS 809.423 which was DMV’s authority to suspend based on notification that a person under 18 years of age has withdrawn from school.

CHANGES TO RULE:

735-001-0050
Administrative Review ¶

In addition to those circumstances specified in ORS 809.140, Driver and Motor Vehicle Services Division of the Department of Transportation (DMV) will provide an administrative review of a suspension, revocation, or cancellation action for:

1. Failure to install or maintain installation of an ignition interlock device under ORS 813.602; ¶
2. Failure to complete and pass a security threat assessment required for a hazardous materials endorsement from the federal Transportation Security Administration (TSA) or being assessed as a security threat by TSA under ORS 807.173; ¶
3. Notice of violating of an out-of-service order ORS 809.413(7); ¶
(4) Notification from the Federal Motor Carrier Safety Administration that a person is disqualified from operating a commercial motor vehicle as an imminent hazard under ORS 809.413(8);
(5) Failure to submit proof of medical qualification to operate a commercial motor vehicle under ORS 807.100(2);
(6) Failure to pay a judgment under ORS 809.415(1);
(7) A lapse in making future financial responsibility filings under ORS 809.415(3)(c) or 807.240(3)(e);
(8) Notification from the superintendent of a hospital under ORS 807.700;
(9) A request by a school superintendent or a school district board under ORS 339.254;
(10) Notice that a person under 18 years of age has withdrawn from school under ORS 339.257;
(11) Notification from a program received by AMHDMV that it has withdrawn a vehicle its recommendation for a person to be issued a hardship or probationary permit; and
(12) Notification from a judge that he or she has withdrawn the recommendation for a person to be issued a hardship or probationary permit, totaled, wrecked, dismantled, disassembled or substantially altered under ORS 819.030.
Statutory/Other Authority: ORS 184.616, 184.619, 802.010, 809.440
Statutes/Other Implemented: ORS 809.440

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AMEND: 735-032-0020
NOTICE FILED DATE: 09/27/2019

RULE SUMMARY: DMV removed references to statutes that have been repealed in the "Statutory/Other Authority" and "Statutes/Other Implemented" sections.

CHANGES TO RULE:

735-032-0020
Plates Considered Void ¶

Registration plates that are required to be surrendered to DMV are void and may not be used to register or operate a vehicle again. This does not apply to plates surrendered to DMV in error and that have not already been destroyed.

Statutory/Other Authority: ORS 184.616, 184.619, 802.010
Statutes/Other Implemented: ORS 803.350, 803.380, 803.590, 809.080, 809.110
AMEND: 735-040-0000

NOTICE FILED DATE: 09/27/2019

RULE SUMMARY: DMV amended OAR 735-040-0000 to include when DMV will transfer a special interest registration plate when an applicant only provides one special interest registration plate for transfer.

CHANGE TO RULE:

735-040-0000
Special Interest Registration ¶

(1) "Established Organization" for the purpose of this rule is as defined in OAR 735-040-0010. ¶

(2) "Special Interest Registration" means the permanent registration under ORS 805.020 for vehicles of special interest. Also any documents or devices issued or approved as evidence of that registration. ¶

(3) To be eligible for special interest registration the vehicle must be a "Vehicle of Special Interest" as defined in ORS 801.605. ¶

(4) To qualify for special interest registration the vehicle owner must submit to DMV: ¶
(a) A completed Antique/Special Interest Vehicle Certification (DMV Form 735-6577) certifying that the vehicle qualifies as a vehicle of special interest as defined in ORS 801.605. ¶
(b) The permanent registration fee established under ORS 803.420(10)(a); and ¶
(c) All other applicable requirements for title and registration. ¶

(5) If the vehicle qualifies as a vehicle of special interest only under the provisions of ORS 801.605(3)(a)(B), the Antique/Special Interest Vehicle Certification (DMV Form 735-6577) submitted must include a certification from the established organization that has sanctioned the vehicle as a vehicle of special interest. ¶

(6) Vehicles of special interest may be registered: ¶
(a) With Oregon registration plates provided by the applicant and approved by DMV as provided in ORS 805.210 and 803.530; or ¶
(b) With special interest registration plates issued by DMV. ¶

(7) In accordance with ORS 803.530(9), DMV will transfer one special interest registration plate when DMV's vehicle records show the special interest registration plate was issued as a pair and is assigned to a vehicle record not associated with an applicant. In addition to other requirements for the issuance of special interest registration, the applicant must submit a written statement from the owner of the plate, as listed in DMV's vehicle records, that contains: ¶
(a) The owner of the plate's full name; ¶
(b) A declaration from the owner of the plate, as listed in DMV's vehicle records, that the owner understands that the plate and registration will be removed from the owner's vehicle and transferred to another vehicle; ¶
(c) The signature of the owner of the plate; and either ¶
(d) The vehicle identification number of the vehicle assigned the plate in DMV's vehicle records; or ¶
(e) The make and model year of the vehicle assigned the plate in DMV's vehicle records.

Statutory/Other Authority: ORS 184.616, 184.619, 801.605, 802.010, 803.530, 805.020, 805.030, 805.210
Unless otherwise exempt, snowmobiles are subject to DMV statutes and rules relating to title and registration. This includes:

1. For title, ORS 803.010 through 803.230, except odometer disclosure requirements as provided in OAR 735-028-0010;

2. For registration, ORS 803.300 through 803.455, except an odometer disclosure under 803.370(3);

3. For registration cards, ORS 803.500 through 803.510, except the mileage of the vehicle under 803.500(5);

4. For registration stickers, ORS 803.555 through 803.560;

5. For registration fees and the disposition of plates, replacement and refunds, ORS 803.585, 803.575 and 803.590;

6. For temporary registration permits, ORS 803.615, 803.625 and 803.640.

Statutory/Other Authority: ORS 184.619, 802.010, 803.030, 803.035, 803.305, 803.310, 821.060, 821.080

Statutes/Other Implemented: ORS 821.060, 821.080