



PERMANENT ADMINISTRATIVE ORDER

DMV 3-2022

CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILED

03/10/2022 12:06 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Requirements for Reinstating Suspension for not Attending School No Longer Needed - Suspension Authority Repealed

EFFECTIVE DATE: 03/10/2022

AGENCY APPROVED DATE: 03/10/2022

CONTACT: Ty Yoder
503-945-5256
ty.m.yoder@odot.oregon.gov

DMV Program Services
1905 Lana Avenue NE
Salem, OR 97314

Filed By:
Lauri Kunze
Rules Coordinator

AMEND: 735-062-0035

NOTICE FILED DATE: 01/27/2022

RULE SUMMARY: DMV amended 735-062-0035 to remove the requirements for reinstating driving privileges following a suspension ordered under ORS 809.423(1) because DMV's authority to suspend was removed.

CHANGES TO RULE:

735-062-0035

Proof of School Attendance, Completion or Exemption ¶¶

(1) DMV may not issue a driving privilege to an applicant under 18 years of age unless the applicant provides proof of graduation from high school, a certificate for passing an approved high school equivalency test, such as the General Education Development (GED) test, or a certification from a parent or legal guardian that the applicant is attending school or is exempt from school attendance requirements. ¶¶

(2) The following are proof of high school graduation: ¶¶

(a) The applicant's high school diploma, modified diploma, or a copy thereof; ¶¶

(b) A certified copy of the applicant's high school transcript showing that the applicant has graduated; or ¶¶

(c) A letter on school letterhead and signed by the principal or the principal's designee stating the applicant has graduated from high school. ¶¶

(3) An applicant under 18 years of age who is married or is emancipated may certify meeting school attendance requirements without needing the signature of a parent or legal guardian. ¶¶

~~(4) DMV cannot reinstate driving privileges that have been suspended for withdrawal from school unless the person provides proof of graduation from high school as provided in section (2) of this rule, a certificate for passing an approved high school equivalency test, such as the GED test, or provides one of the following: ¶¶~~

~~(a) The Statement of Enrollment form (DMV form #735-7185) signed by the principal or designee of the principal of the secondary school attended by the applicant. ¶¶~~

~~(b) The Statement of Enrollment form (DMV form #735-7185) signed by an authorized representative of a community college attended by the applicant showing that the applicant is making satisfactory progress toward being issued a certificate for passing an approved high school equivalency test. ¶¶~~

~~(c) The Statement of Enrollment form (DMV form #735-7185) signed by the authorized representative of a community college attended by the applicant showing that the applicant is making satisfactory progress toward a high school diploma. ¶¶~~

(d) The Statement of Enrollment form (DMV form #735-7185) signed by the authorized representative of the education service district or school district having jurisdiction over the area of the applicant's residence showing that the applicant is being taught by a private teacher or parent in compliance with ORS 339.035. ¶

(e) A statement signed by the applicant, along with any supporting documentation, describing why the applicant cannot attend school due to circumstances beyond the applicant's control. Based upon the information submitted, DMV will determine whether or not the applicant is exempt from school attendance. This determination is only for the purpose of issuing driving privileges and does not exempt the applicant from any requirement to attend school. ¶

(f) The Statement of Enrollment form (DMV form #735-7185) signed by the authorized representative of the education service district or school district having jurisdiction over the area of the applicant's residence showing that the applicant has been granted an exemption from school attendance under ORS 339.030(2). ¶

(5) DMV will waive the reinstatement fee for a person whose driving privileges were suspended under ORS 809.423(3) if the person provides: ¶

(a) Proof of high school graduation as provided in section (2) of this rule; or ¶

(b) A certificate for passing an approved high school equivalency test, such as the GED test. ¶

[ED. NOTE: Forms referenced are available from the agency.]

Statutory/Other Authority: ORS 184.616~~9~~, ~~184.619~~802.010, 807.066, ~~802.010~~

Statutes/Other Implemented: ORS 807.066