



PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILING CAPTION: Park Model Recreational Vehicles (PMRV) VIN Inspections, Titling Former PMRVs, Updating Recreational Vehicle Definition

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RULES:

735-022-0070, 735-022-0140, 735-022-0150, 735-022-0160

AMEND: 735-022-0070

NOTICE FILED DATE: 01/27/2022

RULE SUMMARY: DMV amended 735-022-0070 to remove the authority for an applicant who is applying for an Oregon title for a PMRV to conduct a VIN inspection.

CHANGES TO RULE:

735-022-0070

Inspection of Vehicle Identification Numbers ¶¶

DMV adopts the following procedures relating to the inspection of the vehicle identification number (VIN) of a vehicle under ORS 803.212:¶¶

(1) DMV may designate a state agency, certified vehicle dealer or a law enforcement agency to act as an agent of DMV to perform VIN inspections under ORS 803.212. A state agency or law enforcement agency that wishes to be designated to perform VIN inspections must enter into a VIN inspection agreement with DMV.¶¶

~~(2) Except when a park model recreational vehicle (PMRV) is sold to an applicant for title by a certified vehicle dealer, DMV authorizes the applicant applying for a title to a PMRV, as defined in OAR 735-022-0140, to inspect the VIN of the PMRV for which the applicant is applying to title. For purposes of VIN inspection, the applicant must:¶¶~~

~~(a) Provide a photograph, or allow the DMV representative to view a readable image on the applicant's electronic device, of the VIN inspected;¶¶~~

~~(b) Submit a completed Vehicle Identification Number (VIN) Inspection Form, Form 735-11; and¶¶~~

~~(c) Pay the VIN inspection fee listed in ORS 803.215.¶¶~~

~~(3) The following definitions apply to terms in this rule:¶¶~~

~~(a) "Agent" means a state agency, certified vehicle dealer or law enforcement agency designated by DMV to conduct VIN inspections on behalf of DMV.¶¶~~

~~(b) "Applicant" means an individual or business listed as a lessee or registered owner of a PMRV on the title application.¶¶~~

~~(43)~~ DMV may authorize a law enforcement agency to perform VIN inspections on any vehicle in the agency's custody.¶

~~(54)~~ DMV, in its discretion, may limit the type of VIN inspections an agent may perform.¶

~~(65)~~ Only DMV, the Oregon State Police (OSP) or other Oregon law enforcement agency acting as an agent of DMV, may perform a VIN inspection on a vehicle located in Oregon if:¶

(a) The vehicle is assembled;¶

(b) The vehicle is reconstructed;¶

(c) The vehicle is a replica;¶

(d) DMV has received notice that the vehicle has been or will be wrecked, dismantled, disassembled or substantially altered under ORS 819.010 or 822.133;¶

(e) The vehicle is from another jurisdiction and documents presented show the vehicle has been damaged (i.e., salvage bills of sale, salvage title, etc.);¶

(f) The vehicle is imported and the original manufacturer did not certify that it complies with federal vehicle standards as described in OAR 735-022-0080; or¶

(g) The vehicle has been reported to DMV as a totaled vehicle. This does not apply to a vehicle reported totaled due to theft and later recovered in a condition that no longer meets the definition of "totaled vehicle" under ORS 801.527.¶

~~(76)~~ DMV may designate any person or agency to perform VIN inspections on vehicles in other jurisdictions, including:¶

(a) A law enforcement agency or entity with administrative or regulatory authority for vehicles within the jurisdiction;¶

(b) For vehicles owned by U.S. armed services personnel, the owner's commanding officer, Provost Marshal or other person in authority as authorized by DMV; or¶

(c) Anyone designated by DMV under a written agreement.¶

~~(87)~~ The inspection fee established under ORS 803.215 is required for inspections performed under ORS 803.210. The fee does not apply to inspections performed outside Oregon.¶

~~(98)~~ If a vehicle does not have a VIN, DMV will assign one and affix it to the vehicle. When a VIN is assigned, the title record will indicate the VIN assigned by DMV.

Statutory/Other Authority: ORS 184.619, 802.010, 803.212

Statutes/Other Implemented: ORS 803.212

AMEND: 735-022-0140

REPEAL: Temporary 735-022-0140 from DMV 21-2021

NOTICE FILED DATE: 01/27/2022

RULE SUMMARY: DMV amended this rule to make permanent the definition of "former PMRV" and to amend the definition of "recreational vehicle" to add to the definition that a vehicle is a recreational vehicle if it is eight and one-half feet wide or less and was manufactured prior to 1970.

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~~RS 174.101 and ~~ORS 803.036~~¶

(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) ~~"Former PMRV" means a vehicle that was:~~¶

~~(a) Originally manufactured as a PMRV as defined in section (6) of this rule, but no longer meets the definition; and~~¶

~~(b) First used as living quarters on or before January 1, 2021.~~¶

(5) "NFPA" means the National Fire Protection Association.¶

(56) "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~~ manufactured in 1982 or later, 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.¶

(67) "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;¶

~~(c) A vehicle that is eight and one-half feet wide or less and was manufactured prior to 1970; or~~¶

~~(ed) A PMRV as defined in this rule.~~

Statutory/Other Authority: ~~ORS 174.101, 184.619, 802.010, Oregon Laws 2019, Chapter 422, Oregon Laws 2019, Chapter 585~~803.036

Statutes/Other Implemented: ~~Oregon Laws 2019, Chapter 422, Oregon Laws 2~~RS 174.101~~9, Chapter 585~~803.036

AMEND: 735-022-0150

NOTICE FILED DATE: 01/27/2022

RULE SUMMARY: DMV amended this rule to align it with the language in 735-022-0160. The updated language clarifies what documentation must be submitted by an applicant when applying for an Oregon title for a PMRV.

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 site address of the PMRV-site;¶

(c) Meets the qualifications for issuance of an Oregon 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 by providing:¶~~

(A) If the PMRV has not been issued a title or other ownership document since it was originally manufactured, a certification on the Manufacturer's Certificate of Origin (MCO), if the PMRV is new;¶

~~(B) A or letter from the Manufacturer;¶~~

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

~~(D) If the PMRV is assembled, a letter from the builder or a completed certification on an Assembled, Reconstructed or Replica Vehicle Certification, Form 735-6511, i; or¶~~

~~(C) If the PMRV is assembled; or¶~~

(E) A completed certification on the application for title, if th has been issued a title or other ownership documents since it was originally manufactured, a completed and signed Park Model Recreational Vehicle (PMRV) Certification form (DMV 735-274)¶

~~(e) Submits a completed Park Model Recreational Vehicle (PMRV is assembled or not new.¶~~

~~(e) Certification form (DMV 735-274) Ccertifiesyng that the PMRV is:¶~~

~~(A) MIs more than eight and one-half feet wide; and is either¶~~

~~(B) NIs 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) Subsection (1)(d) of this rule does not apply to a PMRV:¶~~

~~(a) That was manufactured prior to 1982, or¶~~

~~(b) When an Oregon title was issued by DMV for the PMRV on or after January 1, 2020. ¶~~

~~(3) 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 174.101, 184.619, 802.010, 803.035, Oregon Laws 2019, Chapter 422, Oregon Laws 2019, Chapter 585803.036~~

~~Statutes/Other Implemented: ORS 174.101, 803.010, 803.035, 803.04036, 803.0450, 803.092, Oregon Laws 2019, Chapter 422, Oregon Laws 2019, Chapter 58545, 803.092~~

ADOPT: 735-022-0160

REPEAL: Temporary 735-022-0160 from DMV 21-2021

NOTICE FILED DATE: 01/27/2022

RULE SUMMARY: DMV adopted this rule to list the requirements that must be met for DMV to issue an Oregon vehicle title for a former PMRV. An applicant for an Oregon title described in this rule is required to submit a certification that the former PMRV was originally constructed in compliance with the version of ANSI A119.5 that was in effect at the time of manufacture unless DMV issued an Oregon title on or after September 1, 2021.

CHANGES TO RULE:

735-022-0160

Titling Former PMRVs as Provided in ORS 803.036

(1) DMV may issue an Oregon title for a former 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 site address of the former PMRV.

(c) Meets the qualifications for issuance of an Oregon 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) Submits a certification that the former PMRV was originally constructed in compliance with the version of the ANSI A119.5 that was in effect at the time of manufacture by providing:

(A) If the former PMRV has not been issued a title or other ownership document since it was originally manufactured, a certification on the Manufacturer's Certificate of Origin (MCO) or letter from the manufacturer;

(B) If the former PMRV is assembled, a letter from the builder or a completed certification on an Assembled, Reconstructed or Replica Vehicle Certification; or

(C) If the former PMRV has been issued a title or other ownership document since it was originally manufactured, submits a completed Park Model Recreational Vehicle (PMRV) Certification form (DMV form 735-274).

(e) Submits a completed Park Model Recreational Vehicle (PMRV) Certification form (DMV form 735-274) certifying that the former PMRV:

(A) Was first used as living quarters on or before January 1, 2021; and either

(B) Is 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.

(2) Subsection (1)(d) of this rule does not apply to a former PMRV:

(a) If the former PMRV was manufactured prior to 1982, or

(b) When an Oregon title was issued by DMV for the former PMRV on or after September 1, 2021.

Statutory/Other Authority: ORS 184.619, 802.010, 803.035, 803.036

Statutes/Other Implemented: ORS 174.101, 803.010, 803.035, 803.036, 803.040, 803.045, 803.092