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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILED

06/30/2022 7:29 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Veterans' Recognition Registration Plates

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/21/2022 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

A public rulemaking hearing may be requested in writing by 10 or more people, or by a group with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date the Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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NEED FOR THE RULE(S)

DMV is updating its "Group Plate Eligibility Certification" (DMV Form 735-6940) and "Application for Veteran Recognition Plates" (form 735-7307) forms. The proposed changes will rename the forms and simplify the veterans' registration plate forms by making all registration plates a veteran may qualify for on a single form. The form will be renamed "Veteran Plate Certification" and will be form 735-7307. The other form, "Group Plate Eligibility Certification," will be renamed to "Gold Star Family Certification." The Gold Star Family Certification form will only be used by applicants applying for a Gold Star Family plate, which are not issued to veterans, but to family members of a service member killed in action during an armed conflict. This rulemaking only amends the forms an applicant may fill out, it does not amend any requirement for issuance of a veterans' recognition registration plate.

DMV proposes to amend OAR 735-040-0090 to reference the new names and the new form number for the Veteran Plate Certification form.

DMV is also making other changes for clarity.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

None

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

This rulemaking will not affect racial equity in this state because this rulemaking only amends the forms an applicant may fill out, it does not amend any requirement for issuance of a veterans' recognition registration plate.

FISCAL AND ECONOMIC IMPACT:

See statements below.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) There may be minimal time savings for DMV and the customer because of the simplified forms. DMV is unable to quantify this savings. This rule change will not increase or lessen any tasks or fees associated with the issuance of a veterans' recognition plate.

(2)(a), (b) and (c) None

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

DMV sent draft rules to 14 organizations representing small businesses. No responses were received.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

This rulemaking only amends the forms an applicant may fill out, it does not amend any requirement for issuance of a veterans' recognition registration plate.

AMEND: 735-040-0090

RULE SUMMARY: DMV proposes to amend OAR 735-040-0090 to reference the new names and the new form number for the Veteran Plate Certification form. DMV is also making other changes for clarity.

CHANGES TO RULE:

735-040-0090

Veterans Recognition Registration Plates for Veterans' Groups; Restrictions on Issuance; Proof of Veteran Status ¶

(1) Issuance of veterans' recognition registration plates may be restricted to certain persons as provided under ~~Section (2)~~, ORS 805.105(1)(c) and this rule. Conditions for restrictions are as follows:¶

(a) Restrictions on issuance of a particular veterans' recognition registration plate as requested by a veterans' group must relate to a person's service in the Armed Services of the United States. For example:¶

(A) DMV may approve a request to restrict issuance of a particular veterans' recognition registration plate to only veterans or to only those awarded a Purple Heart medal; and¶

(B) DMV will not approve a request to restrict veterans' recognition registration plate issuance to only veterans who are members of a particular group.¶

(b) A veteran's group requesting a restriction on plate issuance must do so on the initial Application for Approval of Veteran Group Plates. The group must describe the restriction(s) and the basis for the restriction;¶

(c) All restrictions must be approved by DMV.¶

(d) If a requested restriction is approved, DMV will consult the group in determining the criteria DMV will use in issuing veterans' recognition registration plates for that group.¶

(2) Veterans' recognition registration plates may not be issued as custom plates, or in conjunction with any other special registration or plate type.¶

(3) When a veterans' group approved by DMV or the Director of Veterans' Affairs requires proof of veteran status or proof of receipt of a service-related medal, or the applicant requests "Gold Star Family" registration plates, DMV will accept the following as proof of eligibility:¶

(a) For plates that include a decal depicting an insignia of a branch of the Armed Services, a completed and signed Veteran Plate Certification (DMV Form 735-7307), certifying the applicant is eligible to receive the plates, and either of the following:¶

(A) For military service year 1950 or after, a US Department of Defense Form 214, Certificate of Release or Discharge from Active Duty (DD 214) or Correction to DD 214 Form (DD 215); or¶

(B) For military service before year 1950, a separation document or form issued by a branch or department of the US Armed Services.¶

(b) For a veterans' group with a service-related restriction approved by DMV under OAR 735-040-0080, a completed and signed Veteran Plate Certification (DMV Form 735-7307), certifying the applicant is eligible to receive the plates, and either of the following:¶

(A) For military service year 1950 or after, a DD 214 or DD 215; or¶

(B) For military service before year 1950, a separation document or form issued by a branch or department of the US Armed Services; and.¶

(c) For plates that include a decal depicting a service-related medal:¶

(~~C~~A) A completed and signed ~~Group Plate Eligibility~~ Veteran Plate Certification (DMV Form 735-~~6940~~7307), certifying the applicant is eligible to receive the ~~group's~~ plates;¶

(~~c~~B) For plates that include a decal depicting a service-related medal: A letter, award certificate or other document issued by the US Department of Defense showing the applicant is a recipient of the service-related medal; and¶

(C) Either of the following:¶

(A) For military service year 1950 or later, a DD 214 or DD 215; or¶

(B) For military service before year 1950, a separation document or form issued by a branch or department of the US Armed Services; and.¶

(C) A letter, award certificate or other document issued by the US Department of Defense showing the applicant is a recipient of the service-related medal.¶

(~~D~~d) For plates displaying a gold star and the words "Gold Star Family," a completed and signed ~~Group Plate Eligibility~~ Gold Star Family Certification (DMV Form 735-6940), certifying the applicant is a surviving family member. For purposes of this rule, a surviving family member includes a person who is a parent, sibling as defined under ORS 805.105, as amended by chapter 183, Oregon Laws 2015, spouse, partner in a domestic partnership or dependent of a person killed in action during an armed conflict while serving in the Armed Forces of the United States.¶

(4) A DD 214, DD 215 or separation form or document required under section (3) of this rule must have been issued under honorable conditions.

Statutory/Other Authority: ORS ~~184.616-184.619, 802.010, 805.105 & Ch.183, OL 2015~~

Statutes/Other Implemented: ORS 805.105 ~~& Ch. 183, OL 2015~~