



PERMANENT ADMINISTRATIVE ORDER

DMV 11-2023

CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

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FILING CAPTION: Lifting Restriction on Limited Term CDL Issuance to Legally Present Mexican and Canadian Citizens

EFFECTIVE DATE: 03/09/2023

AGENCY APPROVED DATE: 03/09/2023

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

RULES:

735-063-0265, 735-063-0268

AMEND: 735-063-0265

NOTICE FILED DATE: 01/25/2023

RULE SUMMARY: DMV amended this rule to remove the prohibition against issuing a limited-term CLP or a limited-term CDL to qualified and eligible applicants from Mexico or Canada who are now domiciled in or a resident of Oregon.

CHANGES TO RULE:

735-063-0265

Issuance of Limited Term Non-Real ID CLP or CDL

(1) An applicant who is lawfully present in the United States on a temporary basis may qualify for a limited term non-Real ID CLP or limited term non-Real ID CDL by providing one of the following documents:¶¶

(a) Arrival/Departure Record (I-94 or CBI I94-A) issued by the United States Department of Homeland Security or Custom and Border Protection presented with or within a valid unexpired foreign passport.¶¶

(b) Arrival/Departure Record (I-94 or CBP I-94) stamped admitted as a Refugee, Asylee, Asylum, Parole, Parolee, or Paroled for an indefinite period presented with acceptable proof of identity as defined in OAR 735-062-0020.¶¶

(c) Employment Authorization card (I-766), unexpired.¶¶

~~(2) In accordance with 49 CFR sections 383.21 and 383.23 an applicant from Mexico or Canada does not qualify for a limited term CLP or limited term CDL. DMV will not accept an I-94, CBP I-94 or I-766 that displays under a heading of country of citizenship, country of birth, nationality, or similar heading either Mexico or Canada.¶¶~~

~~(3) DMV will not accept any document issued by the United States Immigration and Customs Enforcement Agency containing the statement:¶¶~~

~~(a) Under Docket Control;¶¶~~

~~(b) Under the Order of Supervision; or¶¶~~

~~(c) Notice of Immigration Bond Cancelled.¶¶~~

~~(4) DMV will not accept as the proof required by section (1) of this rule a document that is not verified through the Systematic Alien Verification for Entitlements (SAVE) system.¶¶~~

~~(5) DMV will not accept any document as proof of lawful status in the United States that is:¶¶~~

~~(a) Stamped cancelled;¶¶~~

~~(b) Hole-punched;¶¶~~

~~(c) Marked with clipped corners;¶¶~~

(d) Altered; or¶

(e) Amended, unless the amendments were completed by the issuing authority.¶

(65) After determining that an applicant has met all requirements for a non-Real ID CLP or non-Real ID CDL and has provided proof of lawful status in the United States on a temporary basis, as described in this rule, DMV will issue a limited term driver license or limited term driver permit and mail it to the address provided by the applicant at the time of the application. The expiration date of a limited term CLP or limited term CDL is as described in ORS 807.130(3).

Statutory/Other Authority: ORS 184.619, 802.010, 807.730, 49 CFR 383.21, 383.23, 383.71

Statutes/Other Implemented: ORS 807.730

AMEND: 735-063-0268

NOTICE FILED DATE: 01/25/2023

RULE SUMMARY: DMV amended this rule to remove the prohibition against issuing a limited-term CLP or a limited-term CDL to qualified and eligible applicants from Mexico or Canada who are now domiciled in or a resident of Oregon.

CHANGES TO RULE:

735-063-0268

Issuance of Limited Term Real ID CDL

(1) An applicant who is lawfully present in the United States on a temporary basis may qualify for a limited term Real ID CDL by providing one of the following documents:¶

(a) Arrival/Departure Record (I-94 or CBI I94-A) issued by the United States Department of Homeland Security or Custom and Border Protection presented with or within a valid unexpired foreign passport.¶

(b) Arrival/Departure Record (I-94 or CBP I-94) stamped admitted as a Refugee, Asylee, Asylum, Parole, Parolee, or Paroled for an indefinite period presented with acceptable proof of identity as defined in OAR 735-062-0020.¶

(c) Employment Authorization card (I-766), unexpired.¶

~~(2) In accordance with 49 CFR sections 383.21 and 383.23 an applicant from Mexico or Canada does not qualify for a limited term Real ID CDL. DMV will not accept an I-94, CBP I-94 or I-766 that displays under a heading of country of citizenship, country of birth, nationality, or similar heading either Mexico or Canada.¶~~

~~(3) DMV will not accept any document issued by the United States Immigration and Customs Enforcement Agency containing the statement:¶~~

~~(a) Under Docket Control;¶~~

~~(b) Under the Order of Supervision; or¶~~

~~(c) Notice of Immigration Bond Cancelled.¶~~

~~(4) DMV will not accept as the proof required by section (1) of this rule a document that is not verified through the Systematic Alien Verification for Entitlements (SAVE) system.¶~~

~~(5) DMV will not accept any document as proof of lawful status in the United States that is:¶~~

~~(a) Stamped cancelled;¶~~

~~(b) Hole-punched;¶~~

~~(c) Marked with clipped corners;¶~~

~~(d) Altered; or¶~~

~~(e) Amended, unless the amendments were completed by the issuing authority.¶~~

~~(6) After determining that an applicant has met all requirements for a Real ID CDL and has provided proof of lawful status in the United States on a temporary basis, as described in this rule, DMV will issue a limited term Real ID CDL and mail it to the address provided by the applicant at the time of the application. The expiration date of a limited term Real ID CDL is as described in OAR 735-062-0008(13).~~

~~Statutory/Other Authority: ORS 184.619, 802.010, 807.730 & 49 CFR 383.21, 383.23, 383.71~~

~~Statutes/Other Implemented: ORS 807.110 & 807.730~~