



PERMANENT ADMINISTRATIVE ORDER

DMV 13-2023

CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

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FILING CAPTION: Driver License and Driver Permit Vision Tests at Renewal

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RULES:

735-001-0062, 735-062-0060

AMEND: 735-001-0062

NOTICE FILED DATE: 02/28/2023

RULE SUMMARY: DMV changed the way DMV determines if a person:

- Has a vision condition or impairment that impacts the applicant's ability to drive safely, which has not been corrected by the use of glasses or contact lenses;
- Has a mental or physical condition or impairment that affects the applicant's ability to drive safely; or
- Has a problem condition with alcohol, cannabis, psilocybin, controlled substances or inhalants that affects the applicant's ability to drive safely.

DMV changed the age at which a vision screening is required at renewal to 65 years of age and older.

CHANGES TO RULE:

735-001-0062

DMV/DOC Program for an Adult in Custody Obtaining a Driver License or Identification Card Prior to Release ¶¶

(1) The Oregon Department of Transportation, Driver and Motor Vehicle Services Division (DMV) and the Oregon Department of Corrections (DOC) have established, through interagency agreement, the following program to help an adult in custody obtain a driver license or identification card prior to the adult in custody's release from custody.¶¶

(2) For purposes of this rule, the term "adult in custody" means any person under the supervision of the DOC and who is not on parole, probation or post-prison supervision status.¶¶

(3) Notwithstanding OAR 735-062-0016, DMV may issue a renewal or replacement driver license or an identification card containing the last photograph of the adult in custody on file with DMV. The photograph on file must not be older than nine years. DMV will issue as follows:¶¶

(a) A replacement driver license to an adult in custody whose driving privileges are valid or are reinstated at the time of issuance;¶¶

(b) A renewal driver license to an adult in custody whose driving privileges are valid or are reinstated at the time of

issuance and whose driver license is within the allotted time for early renewal as described in OAR 735-062-0090(8) or has been expired for less than two years; or¶

(c) An original, renewal or replacement identification card to an adult in custody:¶

(A) Who is not eligible for driving privileges under sections (4), ~~(7)~~ or ~~(8)~~ of this rule;¶

(B) Whose previous driver license has been expired for more than two years;¶

(C) Whose driving privileges are suspended, revoked or cancelled; or¶

(D) Who has never been issued or does not currently qualify for a driver license under ORS 807.040.¶

(4) DMV will make an inquiry to the National Driver Register/Problem Driver Pointer System and the State Pointer Exchange Service to determine if the adult in custody's driving privileges are suspended, revoked, cancelled or otherwise not valid in any other jurisdiction. An adult in custody whose driving privileges are not valid in any other jurisdiction is not eligible to replace or renew driving privileges in Oregon.¶

(5) DOC may complete an application packet for each eligible adult in custody within 180 days prior to the adult in custody's date of release from DOC custody. The application packet must include:¶

(a) A completed Valid with Previous Photo DL/ID Card (VWPP) Application, DMV Form 735-171C, signed by the adult in custody. The application must include the adult in custody's Social Security Number (SSN) or a written statement that the person has not been assigned a SSN. DMV must verify, or have previously verified, the SSN with the Social Security Administration, as required by OAR 735-062-0005;¶

(b) Proof of legal name as required by OAR 735-062-0014; and¶

(c) Proof of date of birth and identity as required under ORS 807.040(1)(k) by OAR 735-062-0020; and¶

~~(6d) ¶ In the application DOC must certify:¶~~

~~(a) That the copies of the documents submitted to meet the requirements of section (5) of this rule are true copies of the original documents and that the documents pertain to the adult in custody for whom DOC is submitting the VWPP application; and¶~~

~~(b) That the adult in custody will be living in Oregon when released and the address provided on the application meets the requirements for residence or mailing address as outlined in the interagency agreement. any driver license or driver permit must certify to all of the following:¶~~

~~(A) Does not have a vision condition or impairment that impacts the applicant's ability to drive safely, which has not been corrected by the use of glasses or contact lenses;¶~~

~~(B) Does not have a mental or physical condition or impairment that affects the applicant's ability to drive safely; and¶~~

~~(7C) An adult in custody is not eligible for driving privileges, under ORS 807.060(4) or (5) Does not have a problem condition with alcohol, and DMV will not reissue, psilocybin, controlled substances or renew a driver license, if on the VWPP Application the adult in custody:¶~~

~~(a) Answers yes to the question "Do you have a vision condition or impairment that affects the applicant's ability to drive safely.¶~~

~~(6) On the application DOC must certify:¶~~

~~(a) That the copies of the question "Do you have a vision condition or impairment that has not been corrected by glasses, contacts or surgery that affects your ability to drive safely?";¶~~

~~(b) Answers yes to the question "Do you have any physical or mental conditions or impairments that affect your ability to drive safely?"; or¶~~

~~(c) Answers yes to the question "Do you use alcohol, inhaled substances submitted to meet the requirements of section (5) of this rule are true copies of the original documents and that the documents pertain to the adult in custody for whom DOC is submitting the VWPP application; and¶~~

~~(b) That the adult in custody will be living in Oregon when released and the address provided on the application meets the requirements; for controlled substances to a degree that affects residence or mailing address as your ability to drive safely?"¶~~

(8) An adult in custody who is eligible to renew their driving privileges, and is or will be 65 years of age or older at the time their driving privileges expire, must meet the requirements of OAR 735-062-0060. As the adult in custody will not be at a DMV field office for the vision screening, DOC must provide a vision examination form, Certificate of Vision, DMV Form 735-24, completed by a licensed ophthalmologist or optometrist with the VWPP application. If no Certificate of Vision form is included or the adult in custody does not meet the vision standards set forth in 735-062-0050, the adult in custody is only eligible for an identification card.¶

(9) When an adult in custody's driving privileges are valid (not suspended, revoked, cancelled or expired more than two years) the adult in custody must surrender driving privileges in order to be eligible for an identification card. A completed Surrender of Driving Privilege(s), DMV Form 735-7206, must be included with the VWPP application of any adult in custody who is surrendering driving privileges. A person who surrenders driving privileges must pass all tests and pay all fees associated with an original driver license to regain driving privileges at a later date.¶

(10) DOC will pay the fee listed in ORS 807.370 or 807.410, as appropriate, for each adult in custody issued a

driver license or identification card in a manner outlined in the interagency agreement.

Statutory/Other Authority: ORS 184.619, 802.010, 802.087, 807.110

Statutes/Other Implemented: ORS 802.087

AMEND: 735-062-0060

NOTICE FILED DATE: 02/28/2023

RULE SUMMARY: DMV changed the age when an applicant is required to pass a vision screening when applying for a driver license or renewing a driver license. Permits the applicant to submit a Certificate of Vision in lieu of passing a vision screening at DMV. Clarifies that DMV may issue an additional temporary permit if sufficient cause is provided.

CHANGES TO RULE:

735-062-0060

Periodic Check of Drivers Eyesight ¶¶

~~(1) Except as provided in section (7) of this rule, a~~ All licensed drivers 65 years of age and older must have their eyesight tested by DMV each time a driver applies for renewal of ~~renew their driver license in person at a DMV office and either:~~ ¶¶

~~(a) Have their eyesight tested by DMV; or~~ ¶¶

~~(b) Submit a Certificate of Vision form (DMV Form 735-24), that shows their eyesight meets the eyesight test standard indicated in OAR 735-062-0050, as tested by a licensed vision specialist (ophthalmologist or optometrist) within the previous six months. The form must be completed by a licensed ophthalmologist or her driver license optometrist and be submitted to DMV along with the driver license renewal application.~~ ¶¶

~~(2) For purposes of this rule, a driver's age is the age the person will be on the date of the expiration of the license to be renewed or the person's age at the time of application for renewal, whichever is older. For example, a driver is required to have a vision screening at 48 or 49 years of age if the driver's license will expire on his or her 50th birthday.~~ ¶¶

~~(3) The eyesight test must include those items listed in OAR 735-062-0050.~~ ¶¶

~~(4) If a person's eyesight meets the eyesight test standard indicated in OAR 735-062-0050, and if the driver complies with all other driver license renewal requirements, DMV will renew the person's license. If the visual acuity of the person's best eye is worse than 20/40 and no worse than 20/70, DMV will restrict the person to daylight driving only, unless, in the written opinion of a licensed vision specialist (ophthalmologist or optometrist), the person's driving should not be restricted to daylight driving only. To obtain unrestricted driving privileges, the person must submit a completed Certificate of Vision form (DMV Form 735-24), that indicates it is the opinion of the vision specialist that the person's driving should not be restricted to daylight driving only.~~ ¶¶

~~(5) To allow a person to obtain~~ When DMV's vision screening the written opinion of a licensed vision specialist as provided in section (4) of this rule, DMV will issue upon request, a Temporary Driver Permit, which is valid for 30 days, when DMV's vision screening tests show ~~est shows a person's visual acuity level in the best eye is worse than 20/40 and no worse than 20/70, DMV will issue upon request, a Temporary Driver Permit, to allow a person to obtain the written opinion of a licensed vision specialist as~~ person's visual acuity level in the best eye is worse than 20/40 and no worse than 20/70 ~~rovided in section (4) of this rule. DMV will issue the Temporary Driver Permit as follows:~~ ¶¶

~~(a) If the person's current driver license is due to expire within 30 days, DMV will issue a Temporary Driver Permit that is valid beginning on the date of expiration of the person's driver license;~~ ¶¶

~~(b) If the person's driver license is already expired and has been expired for less than one~~ two years, ~~DMV will issue a Temporary Driver Permit that is valid beginning on the date it is issued; and~~ ¶¶

~~(c) The Temporary Driver Permit restricts the person's driving privileges to driving during daylight hours only; and~~ ¶¶

~~(d) The Temporary Driver Permit is valid for 30 days and may be extended for an additional 30 days for sufficient cause.~~ ¶¶

~~(6) Drivers who are temporarily out-of-state and unable to go to a DMV office to have their eyesight tested when required to do so may get their eyesight checked in the state where they are located. Upon request, a vision examination form, Certificate of Vision, DMV Form 735-24, will be provided to the person by DMV. The form must be completed by a licensed ophthalmologist or optometrist and be submitted to DMV along with the driver license renewal application.~~ ¶¶

~~(7) Section (1) of this rule does not apply to applicants who renew their driver license or driver permit by electronic transaction prior to June 2, 2023.~~

Statutory/Other Authority: ORS 184.619, ~~802.010~~, 807.070, 807.120, 807.150

Statutes/Other Implemented: ORS 807.120, 807.150, 807.310