



PERMANENT ADMINISTRATIVE ORDER

DMV 15-2025

CHAPTER 735

DEPARTMENT OF TRANSPORTATION

DRIVER AND MOTOR VEHICLE SERVICES DIVISION

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FILING CAPTION: DMV Requests and Use of Records from Other Jurisdictions; Driving Records for Future Responsibility Filings

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RULES:

735-010-0110, 735-070-0030, 735-070-0145, 735-072-0041

AMEND: 735-010-0110

RULE TITLE: Customer Record for Persons

NOTICE FILED DATE: 09/25/2025

RULE SUMMARY: The amended language removes the CDL-specific wording regarding the receipt of driver history records from other jurisdictions. The rule is expanded to encompass commercial licenses and permits, noncommercial licenses and permits, and identification cards. DMV is adding a section to address creating an Oregon driver record and requesting driver history records from other jurisdictions for persons that do not have an Oregon credential but are domiciled in Oregon. Another new section outlines when DMV may request or receive driver history record information from another jurisdiction and how this information will be used. DMV proposes removing reference to ORS 806.220 from subsection (3)(d) of the rule and adding ORS 809.415 and 809.417.

RULE TEXT:

- (1) DMV shall maintain, as part of a customer record, information identifying a person including, but not limited to, the name, residence address and customer number. DMV shall maintain only one customer record per person, except as provided in this section. DMV may have more than one customer record for an individual, if, for example:
- (a) Information the applicant provided when conducting business with DMV is insufficient to either locate an existing customer record for that individual or confirm the applicant is the same individual covered by an existing customer record; or
 - (b) Vehicle records existing prior to DMV's establishment of customer records contain insufficient information to connect that vehicle record to an individual's driving record or driver license, driver permit or identification card record.
- (2) If an individual has no existing customer record or DMV is unable to locate a driving record, DMV shall create a customer record and shall assign the individual a customer number when the individual conducts business with DMV or when Oregon law requires the Department of Transportation to maintain a record. If the individual has been issued an Oregon driver license, driver permit or identification card, DMV shall use the number assigned to that document as the

customer number.

(3) In accordance with ORS 802.200(9), DMV shall maintain a driving record on:

- (a) Every person who is granted driving privileges under a driver license, driver permit, or a statutory grant of driving privileges under ORS 807.020;
- (b) Every person whose driving privileges have been suspended, revoked, or canceled under the Oregon Vehicle Code;
- (c) Every person who has filed a collision report under ORS 811.725 or 811.730; and
- (d) Every person who is required to provide future responsibility filings under ORS 806.200, 806.230, 806.240, 809.415 or 809.417.

(4) DMV shall record on the non-employment driving record a conviction for any:

- (a) Traffic crime;
- (b) A crime that involves the operation of a motor vehicle if that offense results in the suspension or revocation of driving privileges;
- (c) A traffic violation that leads to a suspension of driving privileges; and
- (d) An offense described in OAR 735-064-0220.

(5) DMV shall record on the employment driving record any conviction described in section (4) of this rule, unless otherwise prohibited by ORS 802.200.

(6) At the time DMV issues to a person an Oregon driving privilege or identification card, the driver history record received by DMV from another jurisdiction shall become part of the person's driving record in this state. Any convictions from the other jurisdiction's driving record will be transferred to the person's Oregon driving record using the AAMVAnet Code Dictionary (ACD) code.

(7) When DMV receives a driver history record from another jurisdiction and the person does not hold an Oregon identification card or Oregon driving privileges, DMV will review the driver record to determine if the person is domiciled in Oregon. If DMV determines the person is domiciled in Oregon, Oregon becomes the state of record and DMV shall include the driver history record received from the other jurisdiction as part of the person's driver record in this state. Any convictions from the other jurisdiction's driver history record will be transferred to the person's Oregon driver record using the AAMVAnet Code Dictionary (ACD) code.

(8) DMV may request or receive driver history records from other jurisdictions for use in Oregon when:

- (a) The person applies for driving privileges or an identification card in Oregon; or
- (b) The person does not hold Oregon driving privileges or an Oregon identification card, but DMV determines that Oregon is to be the state of record.

(9) DMV may use the driver history record information received from other jurisdictions, as described in sections (6), (7) and (8) of this rule, for any purpose authorized by law, unless otherwise specified in the applicable law.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.010, 802.200

STATUTES/OTHER IMPLEMENTED: ORS 802.200, 802.260, 803.220, 807.050, 807.420, 807.560, 821.080

AMEND: 735-070-0030

RULE TITLE: Suspension/Revocation for Out-of-State Conviction, Suspension or Revocation

NOTICE FILED DATE: 09/25/2025

RULE SUMMARY: The proposed amendment removes the reference to a specific DMV business operations unit (Driver Records) and clarifies that the date the notice is stamped by any designated business operations area of DMV is the date the notice of conviction is received. DMV is also updating a reference.

RULE TEXT:

(1) For purposes of ORS 809.400(1):

(a) The date a notice of conviction is received by the Driver and Motor Vehicle Services Division of the Oregon Department of Transportation (DMV) is:

(A) The date the notice of conviction is date stamped by DMV; or

(B) The date the notice of conviction is electronically transmitted to Oregon DMV from the reporting jurisdiction.

(b) "Initiated" means the date the conviction is entered on the person's Oregon driving record.

(c) A conviction is entered on the person's Oregon driving record when it is manually placed on the record by DMV or when it is transmitted from the reporting jurisdiction if received electronically.

(2) Except as provided in ORS 809.400(1)(b), DMV will suspend or revoke the driving privileges of any resident of this state upon receiving notice of the conviction of the person in another jurisdiction for an offense which, if committed in this state, would be grounds for suspending or revoking of the person's driving privileges.

(3) DMV shall suspend the commercial driving privileges of a resident of this state pursuant to ORS 809.510(7), upon receiving notice that the person's commercial driving privileges have been suspended or revoked in another jurisdiction under circumstances that would require DMV to suspend driving privileges if the conduct had occurred in Oregon. The period of suspension will be the same as would be imposed if the conduct had occurred in Oregon.

(4) Oregon DMV shall cease all non-commercial suspensions added to a person's Oregon driving record before May 14, 2024, that were a result of DMV receiving notification from another state, territory, federal possession or district, or providence of Canada that the person's driving privileges were suspended or revoked in that jurisdiction under circumstances that would have required DMV to suspend the person's driving privileges under ORS 813.410(1) if the conduct had occurred in Oregon.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.010, 809.400

STATUTES/OTHER IMPLEMENTED: ORS 802.540, 809.400, 809.510

AMEND: 735-070-0145

RULE TITLE: Counting Convictions Toward Habitual Offender Revocation

NOTICE FILED DATE: 09/25/2025

RULE SUMMARY: This proposed amendment is intended to clarify that an out-of-state conviction received from another jurisdiction in response to DMV's request for driver history record at the time DMV establishes Oregon as the state-of-record will not be evaluated under the Habitual Offender Program.

RULE TEXT:

- (1) In accordance with ORS 801.020(11)(c), if a person is convicted of more than one offense arising from the same incident as described in:
 - (a) ORS 809.600(1), only one of the convictions will count toward the Habitual Offender Program.
 - (b) ORS 809.600(2), only one of the convictions will count toward the Habitual Offender Program.
- (2) In accordance with ORS 801.020(11)(c), if a person is convicted of more than one offense arising from the same incident, with at least one offense described in ORS 809.600(1) and at least one offense described in ORS 809.600(2), the more serious offense as described in ORS 809.600(1) will count toward the Habitual Offender Program.
- (3) If DMV orders a five-year revocation based on three convictions within five years for offenses described in ORS 809.600(1) or for 20 convictions within five years for offenses described in ORS 809.600(2), those convictions will not be counted toward a possible future revocation under the Habitual Offender Program.
- (4) DMV will not count an out-of-state conviction under the habitual offender program when the conviction is entered to the record at the time Oregon becomes the person's state of record.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.010, 802.200

STATUTES/OTHER IMPLEMENTED: ORS 801.020, 802.200, 809.600, 809.610, 809.640

AMEND: 735-072-0041

RULE TITLE: DMV Determination of Driver Improvement Offenses for the Driver Improvement Program

NOTICE FILED DATE: 09/25/2025

RULE SUMMARY: This proposed amendment is intended to clarify that an out-of-state conviction received from another jurisdiction in response to DMV's request for driver history record at the time DMV establishes Oregon as the state-of-record will not be evaluated under the Driver Improvement Program.

RULE TEXT:

- (1) A conviction for an offense listed in OAR 735-064-0220 and a preventable accident arising from a single incident each count as a separate driver improvement offense. DMV will add no more than two driver improvement offenses to the record for a single incident.
- (2) If a person is convicted of more than one offense arising from a single traffic stop, the convictions for separate offenses constitute one conviction and are a driver improvement offense if at least one of the convictions is for an offense listed in OAR 735-064-0220.
- (3) DMV will not count an out-of-state conviction under the driver improvement program when the conviction is entered to the record at the time Oregon becomes the person's state of record.
- (4) DMV may determine if an accident is preventable. Factors DMV uses to determine preventability include but are not limited to:
 - (a) Violations of the law, even if a citation is not issued;
 - (b) Failure to use defensive driving techniques;
 - (c) Road conditions existing at the time of the accident; and
 - (d) Speed of the driver's vehicle.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.010, 802.200, 809.480

STATUTES/OTHER IMPLEMENTED: ORS 802.200, 809.480