



TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

MCTD 5-2026

CHAPTER 740

DEPARTMENT OF TRANSPORTATION

COMMERCE AND COMPLIANCE DIVISION

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ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Verification of Electronic Signatures in Motor Carrier Electronic Commerce, Transactions and Records

EFFECTIVE DATE: 08/25/2026 THROUGH 02/20/2027

AGENCY APPROVED DATE: 08/25/2026

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NEED FOR THE RULE(S):

CCD has seen an increase in fraudulent activity, particularly through the use of unverified electronic signatures. These rules are necessary to protect businesses in the trucking industry from misleading and predatory parties.

JUSTIFICATION OF TEMPORARY FILING:

Failure to modernize rules governing electronic signatures will allow predatory and misleading actors to continue exploiting outdated processes, making it easier for them to commit fraud against trucking companies. Without clearer standards in administrative rules, scammers can continue to manipulate electronic documents, impersonate authorized personnel and forge consent, leaving carriers vulnerable to unauthorized contracts, illicit freight transactions and potential financial losses. When trucking companies become victims of these schemes, they may face costly disputes, disrupted operations, damaged business relationships and the burden of recovering funds or freight that may never be returned. Updating electronic signature rules is essential to prevent these harms and strengthen protections for carriers across the industry. Delay in action leaves carriers exposed to these threats. By promptly updating and clarifying rules, the Division can close off avenues for manipulation, strengthen verification requirements and provide trucking

companies with the tools and protections they need to confidently authenticate transactions. Swift action will mitigate ongoing risks, prevent future scams and create a more secure operating environment across the industry.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

None.

RULES:

740-015-0020, 740-015-0050

AMEND: 740-015-0020

RULE TITLE: Definitions

RULE SUMMARY: Amending existing language and creating new language to help curb the increase in fraudulent activity, particularly through the use of unverified electronic signatures. These rules are necessary to protect businesses in the trucking industry from misleading and predatory parties.

RULE TEXT:

For purposes of OAR Chapter 740, Division 15, the following definitions apply:

- (1) "Agent" means a person or organization appointed or assigned by a Power of Attorney to conduct all business on behalf of a motor carrier.
- (2) "Authorized system" means any website or system authorized by CCD and the State of Oregon for electronic transactions.
- (3) "CCD" means the Commerce and Compliance Division of the Oregon Department of Transportation.
- (4) "Certificate authority" means a trusted third party that issues and manages digital certificates (private and public keys) for electronic signatures.
- (5) "Electronic record" means a record created, generated, sent, communicated, received or stored by electronic means.
- (6) "Electronic signature" means an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person or organization with the intent to sign the record:
 - (a) That is independently verified by a certificate authority, under the sole control of the person using it, and linked to the document in such a manner that the digital signature is invalidated if any data in the document is changed; or
 - (b) Created and verified within an authorized system.
 - (c) "Electronic signature" does not include:
 - (A) A photocopy, scanned copy or other reproduction of a handwritten signature; or
 - (B) An unverified computer-generated typed-face signature.
- (7) "Electronic transaction" means the exchange of an electronic record and, in those transactions where an ink on paper signature would also be required under Oregon law, an electronic signature, between a motor carrier or the motor carrier's agent and CCD for the purposes of:
 - (a) Facilitating access to public records or public information;
 - (b) Purchasing or selling goods or services;
 - (c) Transferring funds;
 - (d) Facilitating the submission of an electronic record or electronic signature required or accepted by CCD; or
 - (e) Creating records upon which CCD or another person or organization will reasonably rely upon and may use for audit purposes, including but not limited to formal communications, notices, certifications and any other record that is issued under a signature.
- (8) "Hardcopy" means a document printed on paper.
- (9) "Motor carrier" means a for-hire or private carrier, as defined in ORS 825.005, and except for the purposes of OAR 740-015-0040, includes any agent or person authorized by the motor carrier to conduct business on behalf of the motor carrier.

(10) "Record" means a document or information that is customarily printed on paper, which contains information relating to and evidencing the transaction of business between a motor carrier or the motor carrier's agent and CCD.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.012

STATUTES/OTHER IMPLEMENTED: ORS 802.012

SUSPEND: 740-015-0050

RULE TITLE: Certifications

RULE SUMMARY: This rule is superfluous and no longer necessary.

RULE TEXT:

Pursuant to ORS 802.012(2), if a motor carrier submits information to CCD via an authorized system to comply with statute or rule, the submission shall:

- (1) Constitute a certification, including but not limited to a certification as to the truth and accuracy of the document or information submitted in the electronic record; and
- (2) Be considered received whether or not the information submitted is signed by the person or organization that submits the information.

STATUTORY/OTHER AUTHORITY: ORS 184.619, 802.012

STATUTES/OTHER IMPLEMENTED: ORS 802.012