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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

02/20/2025 1:48 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Current Issue Registration Plates Not Permitted on Special Interest Registration

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/21/2025 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 proposes to amend Oregon Administrative Rule (OAR) 735-040-0000 to further specify the registration plates a customer may use when registering their vehicle as special interest. Special interest registration plates are issued to vehicles which are collectors' items and may only be used for exhibitions, parades, club activities and similar uses. Special interest registration vehicles may not be used primarily for the transportation of persons or property. This proposed rulemaking ensures the registration plates issued by DMV for vehicles intended for the transportation of persons or property are clearly different from the plates issued for special interest registration.

A vehicle that is issued special interest registration may be issued DMV-designed registration plates, or the vehicle may be issued customer-supplied registration plates that are in "current use." "Current use" plates are defined in OAR 735-046-0000 as any registration plate type, plate background or plate series that is no longer issued, but is approved for registration renewal or for special interest registration, or is a permanent registration plate. Special interest registration is permanent and does not need to be renewed.

To ensure vehicles with special interest plates are not operated outside of their lawful use, DMV does not issue registration plates that are currently being issued by DMV for standard use on special interest vehicles. DMV needs to ensure law enforcement and the public can differentiate between vehicles that can be used primarily to transport persons or property and those that can only be used in exhibitions, parades, club activities and similar uses. This was not previously in question; however, current issue plates such as the tree (graphic) plate have been in issuance since 1990 and some vehicles registered with them are now eligible for special interest registration by year. Customers have begun to ask whether they can use the current issue tree plate already on their vehicle for special interest registration. This rule change is reflective of current DMV practices.

This rulemaking also removes "rental or leasing company registration plates issued under ORS 803.420(5)" from the list

of customer supplied registration plates that DMV may not approve for use on special registration. DMV is removing "rental or leasing company registration plates issued under ORS 803.420(5)" from the list because DMV does not, and never has, issued a plate type for rental or leasing companies. ORS 803.420(5) only states the fee that a rental or leasing company must pay for registration. This change will have no impact on customers because there is no plate a customer could bring into DMV to use on their vehicle of special interest.

This rule does not prohibit a person from removing the special interest registration from their vehicle and obtaining regular registration, which would allow the vehicle to be used for the transportation of people and property if the vehicle is a passenger vehicle.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

None.

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

This will not affect racial equity in this state. DMV is clarifying the registration plates an applicant may choose from when registering their vehicle as special interest. The amended rule will continue to ensure law enforcement and the public, can differentiate between vehicles that may be used for the transportation of people and property and those that are only permitted to operate in specific situations.

FISCAL AND ECONOMIC IMPACT:

None.

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) This proposed change will have no fiscal impact to state agencies, units of local government, or the public.

(2) There is no cost to comply for small business.

(2)(a) No small businesses are impacted by this rule change.

(2)(b) There is no expected reporting, recordkeeping and administrative activities and cost required to comply with the rule amendment.

(2)(c) There is no cost of professional services, equipment supplies, labor and increased administration required to comply with the rule.

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?

DMV is clarifying what registration plates an applicant may use when applying for special interest registration.

AMEND: 735-040-0000

RULE SUMMARY: DMV proposes to amend this rule to further specify the registration plates a customer may use when registering their vehicle as special interest.

CHANGES TO RULE:

Special Interest Registration ¶¶

- (1) "Established organization" has the meaning, for the purpose of this rule, set forth in OAR 735-040-0010.¶¶
- (2) "Special interest registration" means the permanent registration under ORS 805.020 for vehicles of special interest and includes any documents or devices issued or approved as evidence of that registration.¶¶
- (3) To be eligible for special interest registration the vehicle must be a "vehicle of special interest" as defined in ORS 801.605.¶¶
- (4) To qualify for special interest registration the vehicle owner must submit to DMV:¶¶
 - (a) A completed Antique/Special Interest Vehicle Certification form (DMV Form 735-6577) certifying that the vehicle qualifies as a vehicle of special interest;¶¶
 - (b) The permanent registration fee established under ORS 803.420(10)(a); and¶¶
 - (c) All other applicable requirements for title and registration.¶¶
- (5) If the vehicle qualifies as a vehicle of special interest only under the provisions of ORS 801.605(3)(a)(B), the Antique/Special Interest Vehicle Certification form (DMV Form 735-6577) submitted must include a certification from the established organization that has sanctioned the vehicle as a vehicle of special interest.¶¶
- (6) A vehicle of special interest may be registered:¶¶
 - (a) With Oregon registration plates provided by the applicant and approved by DMV as provided in ORS 805.210 and 803.530; or¶¶
 - (b) With special interest registration plates issued by DMV.¶¶
- (7) DMV may not approve plates provided by the applicant for use on vehicles as special interest when the plates are:¶¶
 - (a) Special registration program plates issued under ORS 805.222;¶¶
 - (b) School bus or school activity vehicle registration plates issued under ORS 805.050;¶¶
 - (c) Government, state, or county-owned registration plates issued under ORS 805.040, 805.045, or 805.047;¶¶
 - (d) ~~Rental or leasing company registration plates issued under ORS 803.420(5);¶¶~~
 - (e) Disabled veteran registration plates issued under ORS 805.100;¶¶
 - (f) Congressional Medal of Honor registration plates issued under ORS 805.103;¶¶
 - (g) Veterans' recognition and Gold Star Family registration plates issued under ORS 805.105;¶¶
 - (h) Former prisoners of war registration plates issued under ORS 805.110;¶¶
 - (i) Oregon National Guard registration plates issued under ORS 805.115;¶¶
 - (j) Honorary consul registration plates issued under ORS 805.117;¶¶
 - (k) Fleet registration plates issued under ORS 805.120;¶¶
 - (l) Special registration plates for certain groups issued under ORS 805.205;¶¶
 - (m) Amateur radio operator registration plates issued under ORS 805.230;¶¶
 - (n) Salmon registration plates issued under ORS 805.255;¶¶
 - (o) Cultural registration plates issued under ORS 805.260;¶¶
 - (p) Crater Lake National Park registration plates issued under ORS 805.263;¶¶
 - (q) Wine Country registration plates issued under ORS 805.266;¶¶
 - (r) Portland Trail Blazers registration plates issued under ORS 805.278;¶¶
 - (s) Breast cancer awareness registration plates issued under ORS 805.283;¶¶
 - (t) Pacific Wonderland registration plates issued under ORS 805.287;¶¶
 - (u) Farm vehicle registration plates issued under ORS 805.300;¶¶
 - (v) Antique registration plates originally issued under ORS 805.010;¶¶
 - (w) Historic registration plates;¶¶
 - (x) Special interest registration plates issued to special interest vehicles, as defined in ORS 805.020; or¶¶
 - (y) Customized registration plates, issued under ORS 805.240; or¶¶
 - (z) "Current issue" plates, as defined in OAR 735-046-0000.¶¶
- (8) In accordance with ORS 803.530(9), DMV will transfer one special interest registration plate when DMV's vehicle records show the special interest registration plate was issued as a pair and is assigned to a vehicle record not associated with an applicant. In addition to other requirements for the issuance of special interest registration, the applicant must submit a written statement from the owner of the plate, as listed in DMV's vehicle records, that contains:¶¶
 - (a) The owner of the plate's full name;¶¶
 - (b) A declaration from the owner of the plate, as listed in DMV's vehicle records, that the owner understands that the plate and registration will be removed from the owner's vehicle and transferred to another vehicle;¶¶
 - (c) The signature of the owner of the plate; and either¶¶
 - (d) The vehicle identification number of the vehicle assigned the plate in DMV's vehicle records; or¶¶
 - (e) The make and model year of the vehicle assigned the plate in DMV's vehicle records.

Statutory/Other Authority: ORS 184.619, 801.605, 802.010, 803.530, 805.020, 805.030, 805.210

Statutes/Other Implemented: ORS 801.605, 803.350, 803.370, 803.420, 803.525, 803.530, 803.535, 805.020, 805.030, 805.210