



NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 735
DEPARTMENT OF TRANSPORTATION
DRIVER AND MOTOR VEHICLE SERVICES DIVISION

FILED

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ARCHIVES DIVISION
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FILING CAPTION: Proof of Insurance; Uninsured Accidents; Financial & Future Responsibility

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/21/2026 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)

The Oregon Department of Transportation, Driver and Motor Vehicle Services (DMV), proposes updates to Oregon Administrative Rules (OAR) 735-050-0010, 735-050-0055, 735-050-0070, and 735-050-0100 to align with Senate Bill (SB) 840 (2025), and to clarify procedures for collision (accident) reporting, insurance verification, and SR-22 requirements. The proposed changes remove outdated references, define how individuals may dispute reporting obligations, and specify when suspensions apply for uninsured accidents or false insurance certification. They also clarify that SR-22 filings must be maintained for three years after reinstatement for suspensions recorded on or after July 3, 2020. The changes are necessary to reflect current law, improve clarity for the public, and streamline DMV processes.

DMV proposes amending OAR 735-050-0010 to remove reference to vehicle owners because Senate Bill (SB) 840 removes authority to suspend owners under ORS 809.417 for failure to file a collision report as required under ORS 811.730. Additionally, DMV has stopped mailing letters to customers who successfully dispute the circumstances of a collision and the requirement to report to DMV, instead notifying them in alternative methods. As a result of that change in process, DMV is removing the letter provision from the rule. A person who wishes to dispute the requirement to submit a collision report may do so by providing proof to DMV that the collision is not reportable. DMV also removed from this rule the name of the unit that processes the proof (Accident Reporting Unit). Finally, DMV is clarifying that, when DMV determines that a driver is not required to report a collision, DMV will: (1) rescind any suspension notice or suspension of the driver's driving privileges and (2) remove the collision from the driver's driving record.

DMV proposes to amend OAR 735-050-0055 to differentiate between and clearly state proof of insurance requirements for vehicle registration renewals under ORS 803.460 and collision reporting under ORS 811.725. For the proof required under ORS 811.725, DMV added the following: (1) the requirement that the driver must provide the proof on a collision report and (2) the vehicle identification number (VIN).

DMV proposes to amend OAR 735-050-0070 to clarify that, when DMV determines a person was involved in an uninsured accident, DMV will suspend the person's driving privileges under ORS 809.417 unless or until the person complies with future responsibility requirements (files an SR-22). The rule also states that DMV will suspend a person's driving privileges under ORS 809.415 if the person falsely certifies insurance compliance. The rule clarifies how DMV determines that a person was involved in an uninsured accident or falsely certified compliance. The rule also states how a person may prove to DMV that they were insured at the time of the accident. The rule clarifies that DMV will suspend a person's driving privileges under ORS 809.415 for allowing their SR-22 filing to lapse after the initial filing. Finally, the rule outlines administrative hearing and review rights and the length of an SR-22 filing requirement.

DMV proposes to amend OAR 735-050-0100 to clarify when the requirement to file proof of future responsibility begins. If DMV recorded a person's suspension or revocation before July 3, 2020, prior to DMV's computer system upgrade, the requirement for the person to file proof of future responsibility for three years begins on the expiration date of the suspension or revocation. For any suspension or revocation recorded on or after July 3, 2020, the requirement to file proof of future responsibility begins upon reinstatement of driving privileges, regardless of when the suspension or revocation ends. The change to begin the future responsibility requirement at reinstatement eliminates the ability to avoid the filing requirement by simply waiting out the three-year period without submitting proof. The rule also clarifies that, if DMV recorded a person's permanent revocation before July 3, 2020, DMV will immediately send a suspension notice to the person, explaining that their future responsibility filing requirement began when DMV received the court's order to restore driving privileges.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Enrolled SB 840 (2025) -

<https://olis.oregonlegislature.gov/liz/2025R1/Downloads/MeasureDocument/SB0840/Enrolled>

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

DMV believes this rulemaking will not affect racial equity in Oregon. The changes are meant to update and clarify rules about reporting vehicle accidents, showing proof of insurance, and meeting SR-22 requirements. These updates follow new state laws and are designed to make the rules easier to understand and apply fairly. The rules apply equitably to everyone, no matter their race or background. While DMV understands that some communities may face more challenges concerning insurance or traffic stops, the proposed rule changes do not increase the severity of such challenges. Instead, the proposed rules help make the process clearer and more consistent for all drivers in Oregon.

FISCAL AND ECONOMIC IMPACT:

See below.

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) DMV does not suspend owners or otherwise enforce owner reporting requirements. The removal of suspension authority aligns with DMV's existing practices. There will not be any fiscal impacts as a result of this rulemaking.

(2) There is no effect on small businesses. While there may be an indirect effect on small businesses that employ drivers who are suspended after the adoption of these rules, only individuals have driving privileges. The consequence of an uninsured accident or failure to report a collision is the suspension of driving privileges.

- (2)(a) No small businesses are subject to the rules directly, as the rules impact individuals.
- (2)(b) DMV believes there will be no reporting, recordkeeping and administrative activities and costs required to comply with the rules.
- (2)(c) DMV believes there will be no cost of professional services, equipment supplies, labor and increase administration required to comply with the rules.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

DMV sent the draft rules to small business representatives seeking their input on any potential economic impacts as a result of this rulemaking. Small businesses were not directly involved in the development of these rules.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

DMV is amending the rules to comply with the law which takes effect January 1, 2026.

RULES PROPOSED:

735-050-0010, 735-050-0055, 735-050-0070, 735-050-0100

AMEND: 735-050-0010

RULE SUMMARY: DMV proposes amending this rule to remove reference to vehicle owners because Senate Bill (SB) 840 removes authority to suspend owners under ORS 809.417 for failure to file a collision report as required under ORS 811.730. Additionally, DMV has stopped mailing letters to customers who successfully dispute the circumstances of a collision and the requirement to report to DMV, instead notifying them in alternative methods. As a result of that change in process, DMV is removing the letter provision from the rule. A person who wishes to dispute the requirement to submit a collision report may do so by providing proof to DMV that the collision is not reportable. DMV also removed from this rule the name of the unit that processes the proof (Accident Reporting Unit). Finally, DMV is clarifying that, when DMV determines that a driver is not required to report a collision, DMV will: (1) rescind any suspension notice or suspension of the driver's driving privileges and (2) remove the collision from the driver's driving record.

CHANGES TO RULE:

735-050-0010

Proof that a Collision is Not Reportable~~¶¶~~

(1) ORS 811.720 establishes when a collision must be reported to the Driver and Motor Vehicle Services Division of the Department of Transportation (DMV). ~~¶¶When one person reports a collision and provides information that indicating another partydriver must report the collision, the second partyother driver may dispute the circumstances of the collision and the requirement to report to DMV. DMV must suspend driving privileges if a partydriver involved in a collision fails to file a collision report when required.¶¶~~

(2) ~~¶¶When~~ DMV issues a suspension notice resulting from information that a ~~partydriver~~ involved in a collision has failed to file a collision report as required, the ~~partydriver~~ may provide proof to ~~the DMV Accident Reporting Unit~~ DMV that the collision is not reportable. Proof ~~related to~~ vehicle damage or ~~the injury or death of a person submitted by a driver~~ must apply only to the ~~partydriver's~~ vehicle or its occupants. Acceptable proof includes, but is not limited to, the following:¶¶

(a) A repair bill or estimate from an automotive repair business or statement from an insurance company responsible for paying the damage claim, showing damage to the ~~partydriver's~~ vehicle is less than or equal to \$2,500;¶¶

(b) A repair bill or estimate, statement from an insurance company responsible for paying the damage claim or a statement from the owner of the property, showing damage to property other than a vehicle involved in the collision is less than or equal to \$2,500;¶¶

(c) The ~~partydriver's~~ sworn statement that their vehicle was not towed from the collision scene. The statement must be notarized; ~~or,¶¶~~

(d) The ~~partydriver's~~ sworn statement or a statement from the insurance company responsible for the damage claim that no person in the ~~partydriver's~~ vehicle was injured or died as a result of the collision. The ~~partydriver's~~

statement must be notarized.¶¶

(3) ~~After reviewing the information provided, DMV will send a notice to the party stating whether or not a collision report must be filed with DMV.¶¶~~

(4) ~~If DMV determines that the collision was not reportable for the party, DMV will stop or rescind any proposed driver, DMV shall rescind any suspension notice or suspension of the party driver's driving privileges and remove the collision from the driver's driving record.¶¶~~

(5) ~~If DMV determines that the collision was not reportable for any party, all drivers involved, DMV will remove the collision from the driving record of each party.¶¶~~

(6) ~~For purposes of this rule, "party" means the driver or owner of a vehicle involved in a collision caused by the motion of a vehicle or its load that occurs on any highway or premises open to the public, or any premises adjacent to a highway or premises open to the public or suspension of each driver's driving privileges and remove the collision from each driver's driving record.~~

Statutory/Other Authority: ORS 184.619, 802.010

Statutes/Other Implemented: ORS 809.417, 811.720, 811.725, ~~811.730~~

AMEND: 735-050-0055

RULE SUMMARY: DMV proposes to amend this rule to differentiate between and clearly state proof of insurance requirements for vehicle registration renewals under ORS 803.460 and collision reporting under ORS 811.725. For the proof required under ORS 811.725, DMV added the following: (1) the requirement that the driver must provide the proof on a collision report and (2) the vehicle identification number (VIN).

CHANGES TO RULE:

735-050-0055

Proof of Compliance with Financial Responsibility Requirements~~¶¶~~

- (1) This rule specifies the information that constitutes satisfactory proof of compliance with financial responsibility requirements for the purposes of vehicle registration renewal under ORS 803.460 and collision reporting under ORS 811.725.~~¶¶~~
- (2) For the purposes of ~~ORS 803.460 and ORS 811.725~~vehicle registration renewal under ORS 803.460, DMV shall accept any one the following as proof of compliance with financial responsibility requirements:~~¶¶~~
- (a) The name of the insurer ~~issuing that issued the motor vehicle liability insurance~~ policy and the policy number, the insurance producer's binder number, or any other number that identifies the policy.~~¶¶~~
- (b) A valid certificate of self-insurance as established in ORS 806.130.~~¶¶~~
- (c) Information that a motor vehicle liability insurance policy has been issued for a vehicle applying for renewal of registration, submitted by an insurers under ORS 742.580, 806.195, and OAR 735-050-0131, unless DMV has reason to believe that the information is incorrect, outdated, or the policy has been cancelled or not renewed.~~¶¶~~
- (3) ~~Nothing in this rule shall prevent DMV:¶¶~~
- ~~(a) From~~For the purpose of collision reporting under ORS 811.725, DMV shall accept either of the following as proof of compliance with financial responsibility requirements:¶¶
- (a) A collision report that contains all of the following information for the vehicle driven and involved in the accident required to be reported under ORS 811.720:¶¶
- (A) The vehicle identification number (VIN);¶¶
- (B) The name of the insurer that issued the motor vehicle liability insurance policy; and¶¶
- (C) The policy number, the insurance producer's binder number or any other number that identifies the policy.¶¶
- (b) A valid certificate of self-insurance as established in ORS 806.130.¶¶
- (4) ~~Nothing in this rule prohibits DMV from:¶¶~~
- (a) Requiring an applicant for vehicle registration renewal to provide proof of compliance with financial responsibility requirements, as set forth in ORS 803.460(1); and¶¶
- ~~(b) From~~Using any information submitted by an insurers under ORS 742.580, 806.195 and OAR 735-050-0131, to verify the accuracy of any proof of compliance with financial responsibility requirements submitted by the owner of a vehicle, or for any other purpose related to enforcement of compliance with financial responsibility requirements.

Statutory/Other Authority: ORS 184.619, 802.010, 803.460, 806.180

Statutes/Other Implemented: ORS 803.370, 803.460, 806.130, 806.180, 811.725

RULE SUMMARY: DMV proposes to amend this rule to clarify that, when DMV determines a person was involved in an uninsured accident, DMV will suspend the person's driving privileges under ORS 809.417 unless or until the person complies with future responsibility requirements (files an SR-22). The rule also states that DMV will suspend a person's driving privileges under ORS 809.415 if the person falsely certifies insurance compliance. The rule clarifies how DMV determines that a person was involved in an uninsured accident or falsely certified compliance. The rule also states how a person may prove to DMV that they were insured at the time of the accident. The rule clarifies that DMV will suspend a person's driving privileges under ORS 809.415 for allowing their SR-22 filing to lapse after the initial filing. Finally, the rule outlines administrative hearing and review rights and the length of an SR-22 filing requirement.

CHANGES TO RULE:

735-050-0070

Suspensions and Future Responsibility Filing Requirements for Uninsured Accidents

(1) ~~When an accident is not required to be reported to the Driver and Motor Vehicle Services Division of the Department of Transportation (DMV) will suspend the driving privileges and right to apply for driving privileges under ORS 811.720, DMV shall determine that a person was operating a vehicle in violation of ORS 806.010 at the time of an accident if DMV receives a report to that effect from a police officer, law enforcement agency, an insurance carrier or insurance producer (agent), or any person if the person is involved in any motor vehicle accident at any time when DMV determines the person has been driving uninsured.~~

~~involved in the accident.~~

(2) When DMV determines that a person was operating a vehicle in violation of ORS 806.010 at the time of an accident as described in section (1) of this rule, DMV shall suspend the person's driving privileges under ORS 809.417(2)(a) unless or until the person complies with future responsibility filing requirements.

(3) When an accident is required to be reported to DMV under ORS 811.720, DMV ~~will~~ shall determine that a person was the driver of a vehicle involved in an accident if DMV receives a report to that effect from the police, an insurance carrier or insurance producer (agent), or any ~~operating~~ vehicle in violation of ORS 806.010 at the time of an accident if:

(a) The person does not provide proof of compliance with financial responsibility requirements, as defined in OAR 735-050-0055, to DMV as required under ORS 811.725(1)(c); or

(b) The person acknowledges on a collision report under ORS 811.725 that, at the time of the accident, they were not insured while driving the vehicle involved in the accident.

(4) When DMV determines that a person was operating a vehicle in violation of ORS 806.010 at the time of an accident as described in section (3) of this rule, DMV shall suspend the person's driving privileges under ORS 809.417(2)(a) unless or until the person ~~involved in the accident~~ complies with future responsibility filing requirements.

(5) ~~If the accident must be reported to DMV,~~ DMV shall rescind the suspension notice or suspension and future responsibility filing requirement described in section (4) of this rule if the person provides proof of compliance with financial responsibility requirements to DMV as defined in OAR 735-050-0055.

(6) DMV ~~will~~ shall determine that a person was involved in an accident ~~if~~ ~~w~~falsely certified the existence of a motor vehicle driving uninsured if:

(a) The person does not respond to DMV's request for a collision report;

(b) ~~Liability insurance policy if an insurer notifies DMV that the person's certification of compliance with financial responsibility requirements made on a collision report under ORS 811.725 is not correct.~~

(7) When DMV determines that a person falsely certified the existence of a motor vehicle liability insurance policy as described in section (6) of this rule, DMV shall suspend the driving privileges of the person under ORS 809.415(2) unless or until the person ~~does not respond to DMV's request for both the name of the insurance carrier and the policy number that covered the person's operation of the vehicle at the time of the accident; or~~

(c) The insurance carrier the person stated he or she was insured with denies coverage for the accident ~~complies with future responsibility filing requirements.~~

(8) DMV shall rescind the notice of suspension or suspension and future responsibility filing requirement described in section (2) or (7) of this rule if the person provides DMV with proof of compliance with financial responsibility requirements in the form of an official statement, written on the insurance company's letterhead and signed by an authorized employee of that insurer, indicating that the person or vehicle was insured at the time of the accident under a motor vehicle liability insurance policy that meets the requirements described under ORS 806.080.

(9) Pursuant to ORS 809.415(3), DMV shall suspend the driving privileges of a person who, after complying with their initial obligation to make a future responsibility filing under ORS 809.417(2) or section (7) of this rule, allows the filing to lapse.¶

(10) DMV shall terminate requirements for a future responsibility filing required by section (7) or (9) of this rule, as provided in ORS 806.245.¶

(11) DMV shall grant a pre-suspension hearing under ORS 809.440(1), upon timely request, to by any person whose driving privileges are DMV proposes to suspended, as described in sections (12), (4) or (7) of this rule. The suspension will not take effect pending the outcome of the hearing and DMV shall impose the suspension and future responsibility filing requirement if the administrative law judge affirms the suspension and future responsibility filing requirement following the hearing.¶

(5) Once a suspension described in section (1) of this rule takes effect, DMV will rescind the suspension if the person supplies the name of an insurance carrier and policy number that covered the person's operation of the vehicle at the ti12) If no pre-suspension hearing is held, a person may be entitled to a post-imposition hearing in accordance with ORS 809.450. The suspension will remain in effect pending the outcome of the accident.¶

(6) DMV will again suspend the driving privileges if the suspension was rescinded under section (5) and the insurance carrier subsequently denies coverage for the accident. The person will be eligible for full reinstatement of driving privileges one year from the new suspension date.¶

EXCEPTION: DMV shall subtract hearing.¶

(13) A person whose suspension under ORS 809.415(3) is based on allowing a filing of future responsibility to lapse after the initial filing has been made, as described in section (9) of this rule, is entitled to administrative review under the original uninsured accident suspension from the one-year suspension period ORS 809.440 as provided in ORS 809.415(3)(c).

Statutory/Other Authority: ORS 184.619, 802.010, 809.415, 809.417

Statutes/Other Implemented: ORS 809.417, 370, 803.460, 806.010, 806.245, 809.415, 809.417, 809.440, 809.450, 811.720, 811.725

RULE SUMMARY: DMV proposes to amend this rule to clarify when the requirement to file proof of future responsibility begins. If DMV recorded a person's suspension or revocation before July 3, 2020, prior to DMV's computer system upgrade, the requirement for the person to file proof of future responsibility for three years begins on the expiration date of the suspension or revocation. For any suspension or revocation recorded on or after July 3, 2020, the requirement to file proof of future responsibility begins upon reinstatement of driving privileges, regardless of when the suspension or revocation ends. The change to begin the future responsibility requirement at reinstatement eliminates the ability to avoid the filing requirement by simply waiting out the three-year period without submitting proof. The rule also clarifies that, if DMV recorded a person's permanent revocation before July 3, 2020, DMV will immediately send a suspension notice to the person, explaining that their future responsibility filing requirement began when DMV received the court's order to restore driving privileges.

CHANGES TO RULE:

735-050-0100

Future Responsibility Filing Requirements Following Mandatory Suspension or Revocation~~¶¶~~

- (1) For purposes of this rule, "proof" means proof of compliance with future responsibility filings as described in ~~OAD 735-050-0050.¶¶~~
- ~~(2) The requirement to file proof following a suspension or revocation of the person's driving privileges begins on the scheduled expiration date of the~~ RS 806.240.¶¶
- ~~(2) A person is required to file proof following:~~
- ~~(a) The a suspension or revocation of the person's driving privileges under ORS 813.40009.235, 809.41109(2), (3), (4), (5), (6), (9), 809.417(2), to (4), 809.411(2) to (6), (9) or 80913.409(2), (3), (4);¶¶~~
- ~~(b) The revocation of the person's driving privileges under ORS 809.235.¶¶~~
- ~~(3) The Driver and Motor Vehicle Services Division of the Department of Transportation (DMV) will reflect the filing requirement by making an entry0. DMV shall terminate the requirement to file proof after three years have passed from the date the filing was required as described in sections (3) and (6) of this rule.¶¶~~
- ~~(3) If DMV recorded the suspension or revocation onf the person's driving record of the Proof Required Until (PRU) date. The PRU date is three years after privileges described in section (2) of this rule before July 3, 2020, the requirement to file proof begins on the expiration date of the suspension or revocation.¶¶~~
- ~~(4) Thirty days before the expiration of the suspension or revocation described in section (2)(a3) of this rule, if the person has not already filed proof, DMV wishall send the person a notice that a suspension under ORS 809.415(3) will be imposed for failure to make future responsibility filings unless proof is filed. The suspension notice will specify the suspension for failure to file proof will begin on the expiration date of the suspension or revocation. Once a suspension for failure to file proof is imposed, it remains in effect until the PRU date or until the person files proof, whichever comes first.¶¶~~
- ~~(5) Wor until proof is filed.¶¶~~
- ~~(5) Notwithstanding section (4) of this rule, when DMV receives a court order to restore driving privileges under ORS 809.235(5), DMV will not reinstate driving privileges until the person provides proof. In addition, upon receipt of the court order and DMV recorded the revocation of the person's driving privileges before July 3, 2020, DMV wishall send the person a notice that a suspension under ORS 809.415(3) willhas been imposed in 30 days unless proof is filed. Once afor failure to make future responsibility filings until proof is filed.¶¶~~
- ~~(6) If DMV recorded the suspension for failure to file proof is imposed, it remains in effect until the PRU date or until the person files proof, whichever comes first.¶¶~~
- ~~(6) Arevocation of the person's driving privileges on or after July 3, 2020, as described in section (2) of this rule, the requirement to file proof begins upon reinstatement of driving privileges following the expiration date of the suspension for failure to file proof will not revocation. DMV may not reinstakte effect if the person files proof before the effective date of the suspensiondriving privileges until the person files proof.~~

Statutory/Other Authority: ~~ORS 184.616, 184.619, 802.010~~

Statutes/Other Implemented: ~~ORS 806.240, 806.245, 809.235 809.409, 809.411, 809.415, 809.417, 813.400~~