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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

01/30/2026 1:19 PM

ARCHIVES DIVISION

SECRETARY OF STATE

FILING CAPTION: Issuing Limited-Term CDLs and CLPs Only to Existing Holders as of September 29, 2025

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 02/21/2026 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.

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HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 02/18/2026

TIME: 1:00 PM

OFFICER: Staff

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 971-277-1965

SPECIAL INSTRUCTIONS:

Meeting ID: 261 759 422 175 5

Passcode: PR6TB3FX

Phone conference ID: 845 286 433#

NEED FOR THE RULE(S)

The Oregon Department of Transportation, Driver and Motor Vehicle Services (DMV), adopted an emergency rule on October 13, 2025, in response to the Federal Motor Carrier Safety Administration's (FMCSA's) Interim Final Rule, Restoring Integrity to the Issuance of Non-Domiciled Commercial Driver's Licenses (90 Fed. Reg. 46509–46526, published September 29, 2025) (IFR). The IFR is currently subject to a court-ordered administrative stay, and the litigation has been placed in abeyance by the U.S. Court of Appeals for the District of Columbia Circuit. DMV does not know when the abeyance will end, how the litigation will resolve, or whether the federal government will issue a subsequent rule that changes eligibility requirements for limited term CDL and CLP holders.

As a result of this uncertainty, DMV proposed to adopt rules to issue a limited term CDL and CLP only to applicants who held an unexpired limited term CDL or CLP as of September 29, 2025, or can obtain a limited term CDL or CLP without testing. The rule will allow current limited term CDL holders to renew, replace and conduct other transactions until regulatory clarity has been established. The rule also permits individuals who held a CLP on September 29, 2025, to

replace the CLP or reapply if it has expired.

DMV will not issue limited-term credentials to applicants who did not hold a limited term CDL or CLP prior to the IFR. This is to prevent applicants seeking licensure from incurring significant costs for training and schooling, only to be deemed ineligible for commercial driving privileges if federal requirements change.

A permanent rule is necessary because allowing new issuances before regulatory clarity is established may result in applicants investing thousands of dollars in entry-level driver training and CDL schooling, only to be deemed ineligible for a limited term CDL or CLP if the abeyance ends, a court concludes that the IFR is valid and enforceable, a new federal rule is promulgated or if FMCSA establishes an alternative pathway to modify the issuance of limited term commercial driving privileges. This rulemaking prevents applicants from potential financial harm and allows DMV to continue to serve established limited term CDL or CLP holders, allowing them to continue operating without disruption.

This approach offers DMV flexibility and reduces harm to current limited term CDL and CLP customers.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Federal Motor Carrier Safety Administration's Interim Final Rule, Restoring Integrity to the Issuance of Non-Domiciled Commercial Driver's Licenses (90 Fed. Reg. 46509–46526) -

<https://www.federalregister.gov/documents/2025/09/29/2025-18869/restoring-integrity-to-the-issuance-of-non-domiciled-commercial-drivers-licenses-cdl>

Administrative Stay order - <https://media.cadc.uscourts.gov/orders/docs/2025/11/25-1215LDSN3.pdf>

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

This rule amendment is intended to maintain federal compliance, while allowing individuals who already hold a limited-term Commercial Driver License (CDL) or Commercial Learner Permit (CLP) to continue operating during ongoing litigation of FMCSA's IFR. The rule applies uniformly to all applicants who do not meet the eligibility criteria established in the rule.

DMV recognizes that immigrant and non-domiciled communities may be disproportionately affected because limited-term credentials are issued to individuals who are not U.S. citizens or permanent residents. However, the restriction is necessary to reduce financial harm to new applicants and minimize impacts on Oregonians while federal requirements remain uncertain.

DMV considered whether alternative approaches could reduce impacts on these communities but determined that allowing new issuances during this period could result in greater harm, including applicants spending thousands of dollars on training only to be determined to be ineligible later. By permitting individuals who already hold a limited term CDL or CLP to maintain their credentials, this approach seeks to limit negative impacts on immigrant communities and helps ensure continuity for those who depend on these credentials for employment and economic stability. DMV will continue to monitor federal actions to ensure compliance with federal requirements for commercial driving privileges.

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) An emergency rulemaking is currently in effect that prohibits DMV from issuing any limited-term CDLs and CLPs. This permanent rulemaking is intended to benefit those customers who continue to qualify for a limited term credential by allowing them to maintain the ability to operate a commercial motor vehicle pending the outcome of any changes to FMCSA's non-domiciled CDL and CLP requirements. Individuals who would have qualified for a limited term CLP prior to September 29, 2025, but became ineligible under the IFR, will remain unable to obtain a CDL. These customers will need to seek alternative employment opportunities.

Local and state governmental agencies that employ CDL holders may experience a smaller pool of applicants for positions requiring a CDL because DMV will no longer issue new limited term CDLs or CLPs. DMV is unable to determine the impact on the agencies. There will be no impact on their employees who currently hold a limited term CDL or CLP.

DMV may see a reduced number of customers in DMV field offices. DMV may also experience an increase in calls requesting information on qualifications for a limited term CDL or CLP. DMV is unable to determine the fiscal impacts at this time. DMV may need to update its computer system to prevent issuance to applicants who no longer qualify. DMV is waiting to initiate this programming until the federal policy is decided.

Both large and small businesses will be affected, as outlined in section (2).

(2) This rulemaking is not expected to directly impact small businesses. However, they may experience a smaller pool of applicants for positions requiring a CDL because DMV will no longer issue new limited term CDLs or CLPs. There were approximately 1,000 individuals who held a limited term CDL or CLP when the Temporary Administrative Order became effective. There are approximately 90,000 CDL issued.

(2)(a) Small businesses that hire and train CDL drivers may be indirectly affected by this rulemaking if they receive fewer applicants for CDL positions or training. DMV cannot determine how many businesses will be impacted or the extent of those impacts.

(2)(b) There are no direct reporting, recordkeeping, administrative, or other costs resulting from this rulemaking.

(2)(c) There are no direct costs for professional services, equipment, supplies, labor, or increased administrative requirements to comply with this rulemaking.

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

DMV distributed the draft rules to 14 businesses to solicit feedback on the proposed changes and their potential economic impact. In addition, the Rule Advisory Committee included participants representing small businesses to ensure their perspectives were considered during the rulemaking process.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

735-063-0200, 735-063-0250, 735-063-0260, 735-063-0265, 735-063-0268

RULE SUMMARY: DMV proposed to adopt rules to issue a limited term CDL and CLP only to applicants who held an unexpired limited term CDL or CLP as of September 29, 2025, or can obtain a limited term CDL or CLP without testing. The rule will allow current limited term CDL holders to renew, replace and conduct other transactions until regulatory clarity has been established. The rule also permits individuals who held a CLP on September 29, 2025, to replace the CLP or reapply if it has expired.

CHANGES TO RULE:

735-063-0200

Purpose:
¶

(1) Chapter 735, division 63 establishes rules for those requirements and processes that are specific to the granting of commercial driving privileges, the retention of those privileges and DMV's sanctioning of those privileges. A person applying for commercial driving privileges must already have a Class C non-commercial license issued by the State of Oregon, or must meet all qualifications for the license. The administrative rules in OAR 735, division 62, regarding the procedures related to the issuance, renewal or replacement of a Class C non-commercial driver license or driver permit also apply to a non-Real ID CDL or a CLP except as specified in these rules. The administrative rules in OAR 735, division 62, regarding the procedures related to the issuance, renewal or replacement of a Real ID Class C non-commercial driver license also apply to a Real ID CDL except as specified in these rules.¶

(2) The following rules in OAR 735, division 62 do not apply to a CDL or a CLP:
¶

- (a) OAR 735-062-0002;¶
- (b) OAR 735-062-0005;¶
- (c) OAR 735-062-0010;¶
- (d) OAR 735-062-0035;¶
- (e) OAR 735-062-0080;¶
- (f) OAR 735-062-0085; and¶
- (g) OAR 735-062-300 to 735-062-0390.¶

(3) The other rules in OAR 735, division 62, are applicable to commercial driving privileges either in whole or as specified in the rules below.¶

(4) Due to the Federal Motor Carrier Safety Administration's Interim Final Rule, Restoring Integrity to the Issuance of Non-Domiciled Commercial Driver's Licenses, 90 Fed. Reg. 46509-46526 (effective September 29, 2025), and the subsequent litigation in Lujan v. FMCSA, No. 25-1215 (D.C. Cir.) (filed October 20, 2025), and a court-ordered administrative stay of the Interim Final Rule issued on November 13, 2025, DMV takes the following actions:
¶

- (a) DMV shall issue an original limited term CLP if the applicant held an unexpired Oregon limited term CLP on September 29, 2025, and the applicant meets all other requirements for issuance.
¶
- (b) DMV shall issue a replacement limited term CLP of an Oregon limited term CLP if the applicant meets all requirements for a replacement.
¶
- (c) DMV shall issue an original limited term CDL to an applicant who meets all requirements for issuance, including all applicable testing requirements and holding a limited term CLP in accordance with subsection (a) or (b) of this section.
¶
- (d) DMV shall renew a limited-term CDL when the applicant meets all requirements for a renewal.
¶
- (e) DMV shall issue a replacement limited-term CDL when the applicant has an unexpired limited term CDL and meets all other requirements for replacement. Replacing a limited-term CDL includes transactions such as amending, correcting, reprinting, or otherwise duplicating a previously issued limited-term CDL or completing any transaction that results in the production of a card or interim card.
¶

(5) If the U.S. Court of Appeals for the District of Columbia Circuit, or a court of competent jurisdiction, takes action to make the Interim Final Rule enforceable, such as removing Lujan v. FMCSA from abeyance, DMV shall comply with the Interim Final Rule and the final decision and cease all limited-term CDL and CLP transactions.

Statutory/Other Authority: ORS 184.619, 802.010, 807.455

Statutes/Other Implemented: ORS 807.018, 807.031, 807.035, 807.045, 807.120, 807.173, 807.285, 809.510, 809.515, 809.520, 809.525, 809.530, 809.535, 809.540, 809.545, 49 CFR Parts 383 and 384

RULE SUMMARY: DMV is amending the rule to add an exception to the circumstances under which a person is not required to provide proof of United States citizenship or lawful permanent residence.

CHANGES TO RULE:

735-063-0250

Knowledge Testing and Requirements for Issuance of CLP

(1) An applicant for commercial driving privileges must first apply for a CLP, except as specified in OAR 735-063-0260(1).¶

(2) The class of CLP that DMV will issue, and the endorsements and restrictions that DMV will place on the CLP, are dependent on the knowledge tests that the applicant takes and passes and current CDL that the applicant possesses, or, if the applicant is applying for a replacement CLP, on the current CLP that the applicant possesses.¶

(3) The provisions of OAR 735-062-0040 also apply to the knowledge tests given to an applicant for a CLP.¶

(4) For purposes of the issuance of a CLP, a passing score for a knowledge test is valid for six months. Test scores have validity as specified in OAR 735-063-0260(8).¶

(5) Except as provided for in section (6) of this rule, all applicants for a CLP must have a valid score for the CDL general knowledge test and additional knowledge test(s) as follows:¶

(a) An applicant for a Class A CLP must have a valid score for the combination vehicles knowledge test.¶

(b) An applicant for a CLP with a passenger endorsement must have a valid score for the passenger endorsement test.¶

(c) An applicant for a CLP with a school bus endorsement must have a valid score for the passenger endorsement knowledge test and for the school bus endorsement test.¶

(d) An applicant for a CLP with a tank endorsement must have a valid score for the tank endorsement knowledge test.¶

(e) An applicant for a CLP who wants to operate a CMV with air brakes must have a passing score for the air brake knowledge test.¶

(6) For purposes of this rule, an applicant who previously completed a knowledge test for the issuance of a CDL, as demonstrated by the applicant's current unexpired CDL, or the applicant's CDL that has been expired no more than one year, is not required to retake that knowledge test for DMV to issue a CLP. In the case of a replacement CLP, an applicant who previously completed a knowledge test for the issuance of a CLP, as demonstrated by the person's current unexpired CLP, is not required to retake that knowledge test.¶

(7) All knowledge tests are administered in English. DMV does not allow the use of an interpreter or language aid.¶

(8) In addition to all requirements of OAR 735-062-0007(1) listed in subsections (e) through (i), an applicant for a CLP must:¶

(a) Provide the applicant's Social Security number on the application. DMV will verify the Social Security number as described in OAR 735-062-0005;¶

(b) Except as provided in section (9) of this rule and OAR 735-063-0265, provide proof of United States citizenship or lawful permanent residence in the United States.¶

(A) Proof of United States citizenship is:¶

(i) A certified copy of a birth certificate issued by a U.S. Territorial government, the District of Columbia or the government of a state or political subdivision of a state of the United States. DMV will not accept a hospital-issued birth certificate, hospital card or birth registration, or baptismal certificate.¶

(ii) U.S. Consular Report of Birth Abroad (FS-240).¶

(iii) U.S. government-issued Certification of Report of Birth (DS-1350 or FS-545).¶

(iv) A valid, unexpired United States passport.¶

(v) A valid, unexpired United States passport card.¶

(vi) A valid, unexpired United States Territory passport.¶

(vii) Certificate of Citizenship (N560 and N561).¶

(viii) Certificate of Naturalization (N550, N570 and N578).¶

(B) Proof of lawful permanent residence in the United States is a valid, unexpired Permanent Resident card (I-551).¶

(c) Certify driving type;¶

(d) Provide proof of medical qualification as described in OAR 735-063-0220; and¶

(e) Satisfy all requirements set forth in ORS 807.285.¶

(9) A citizen of a nation with a Compact of Free Association (COFA) with the United States may apply for full-term commercial driving privileges. COFA nations are the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. An applicant from a COFA nation may present as proof of lawful status in the

United States:¶

- (a) A valid, unexpired passport issued by a COFA nation, and¶
- (b) An Arrival/Departure Record (I-94 or CBP I-94A).¶
- (10) An applicant for a CLP is subject to the provisions of OAR 735-062-0007(2) to (9).¶
- (11) DMV shall issue a CLP only as a non-REAL ID CLP.

Statutory/Other Authority: ORS 184.619, 802.010

Statutes/Other Implemented: ORS 807.018, 807.031, 807.035, 807.070, 807.285

RULE SUMMARY: DMV is amending the rule to add an exception under which a person is not required to provide proof of United States citizenship or lawful permanent residence. DMV is also clarifying that if it ceases issuing limited-term CDLs and CLPs under OAR 735-063-0200(5), an individual holding a valid limited-term CLP may not take a CDL skills test.

CHANGES TO RULE:

735-063-0260

CDL Testing and Requirements for Issuance of CDL

(1) An applicant for a CDL must first be issued a CLP and pass a CDL skills test unless the applicant qualifies for one of the following exceptions:
¶

(a) The applicant currently holds an Oregon CDL and is applying to renew or replace a CDL granting the exact same privileges.
¶

(b) The applicant currently holds an Oregon CDL, is qualified for and has passed the knowledge test to add one or more of the following endorsements:
¶

(A) Tank;
¶

(B) Hazardous Materials;
¶

(C) Doubles/Triples.
¶

(c) The applicant surrenders a CDL that is valid or expired less than one year and was issued by another state or the District of Columbia and the applicant:
¶

(A) Meets the qualifications set forth in OAR 735-062-0080 subsections (1)(a) - (e);
¶

(B) Surrenders a CDL that is the same class as the CDL for which the application is made;
¶

(C) Passes the vision screening; and
¶

(D) Complies with OAR 735-063-0250(8)(a) to (d).
¶

(d) The applicant meets the requirements of OAR 735-063-0280 to be issued an Oregon CDL based on the applicant's military training and experience operating CMVs.
¶

(e) The applicant surrenders a valid, unexpired Licencia Federal de Conductor issued by the United Mexican States or a valid, unexpired CDL issued by a Canadian Province or Territory in conformity with the Canadian National Safety Code and meets the requirements described in OAR 735-063-0263.
¶

(2) For a DMV examiner or CDL Third Party Examiner to administer a CDL skills test to an applicant, the applicant must:
¶

(a) Have an unexpired Oregon driver license;
¶

(b) ~~HE~~xcept as described in section (16) of this rule, have an unexpired Oregon CLP that was issued not less than 14 days prior to the test;
¶

(c) Have driving privileges that are not suspended, revoked, cancelled or otherwise withdrawn;
¶

(d) Complete all required ELDT;
¶

(e) Be ready to take the test in a class of vehicle or combination of vehicles that corresponds to or is lesser than the CLP, class, endorsements, and restrictions, possessed by the applicant and that corresponds to the CDL for which the person is applying;
¶

(f) Have proof of insurance coverage on the vehicle as required by Oregon law;
¶

(g) Complete all segments of the CDL skills test on the same calendar day unless the applicant fails or is unable to complete all three parts of the CDL skills test during a previous attempt; and
¶

(h) Communicate with the examiner in English. All examiner instructions are given in English and the applicant must respond in English.
¶

(3) In addition to the applicants described in section (2) of this rule, a CDL Third Party Examiner may administer a CDL skills test to an applicant who:
¶

(a) Has a valid non-commercial driver license issued by another state;
¶

(b) Has a valid CLP issued by the same state as the non-commercial driver license described in subsection (a) of this section, that was issued not less than 14 days prior to the test;
¶

(c) Meets the requirements provided in subsections (c) through (h) of section (2) of this rule;
¶

(d) Is employed by an organization that provides employer-based training in Oregon and is an Oregon DMV approved employer-based testing organization;
¶

(e) Has completed the employer provided ELDT in Oregon; and
¶

(f) Is being tested by the same organization that provided ELDT.
¶

(4) DMV adopts the following FMSCA regulations in effect as of April 1, 2025, as the standards that must be followed by an examiner in the administration of an approved CDL skills test described in section (15) of this rule:
¶

- (a) 49 CFR 383.71, Driver Applicant and Certification Procedures;¶
- (b) 49 CFR 383.110 through 383.123, Required Knowledge and Skills; and¶
- (c) 49 CFR 383.131 through 383.135, Tests.¶

(5) The CDL skills test must be administered in accordance with the federal regulations adopted by section (4) of this rule and the methods and procedures set forth in the Oregon CDL Examiner's Manual. The CDL skills test consists of three parts:¶

- (a) A pre-trip vehicle inspection test. This part of the CDL skills test must be the first test administered by the examiner. It is designed to evaluate the applicant's ability to identify and operate the equipment on the vehicle in which the applicant is being tested and to detect and identify unsafe vehicle equipment items as described in the Oregon Commercial Driver Manual.¶
- (b) A basic control skills test. This part of the CDL skills test must be administered after the applicant has successfully completed the pre-trip vehicle inspection test and prior to the on-road drive test. It is designed to evaluate the applicant's ability to control the vehicle and judge the position of the vehicle in relation to other objects through basic starting, stopping, backing and parking maneuvers.¶
- (c) An on-road drive test. This part of the CDL skills test, which must be administered after successful completion of the basic control skills test, is designed to evaluate the applicant's competency to safely operate a vehicle or combination of vehicles under actual driving conditions. The applicant must demonstrate safe and proper driving methods and procedures and knowledge of the traffic laws. The following apply to an on-road drive test:¶
 - (A) The vehicle or combination of vehicles used for the CDL skills test must be of the class for which the applicant seeks a license or endorsement and must have the proper equipment in safe working order so that the vehicle(s) can be operated safely and legally. DMV will not administer the test if the examiner concludes the vehicle cannot be operated safely and legally; and¶
 - (B) The vehicle or combination of vehicles must not be loaded.¶

(6) If the applicant fails any part of the CDL skills test, DMV or a CDL Third Party Tester may administer the failed parts of the test on a subsequent day on which DMV or the CDL Third Party Tester does business. CDL Third Party Examiners must conform to the scheduling requirements in OAR 735-060-0105(1)(n).¶

(7) If an applicant fails any part of the CDL skills test, DMV or an approved Third Party Tester may accept the score for the part of the CDL skills test that the applicant passed. An applicant must pass all segments of the CDL skills test using a single CDL test version, described under section (15) of this rule. Scores for parts of the CDL skills test that the applicant passed may not be accepted for subsequent CDL skills test after the applicant's CLP expires.¶

(8) All CDL skills test results must be recorded in CSTIMS.¶

(9) A passing score for a completed CDL skills test is valid for six months. Once an applicant uses a CDL skills test score to have DMV issue commercial driving privileges, the test score is void and DMV may not use the test score for a subsequent issuance.¶

(10) If a CDL skills test administered by DMV is not completed because of vehicle equipment failure due to the vehicle not having the necessary safety equipment or not being in proper working order, the required test fee will remain on the DMV customer record to serve as payment for a postponed test. If an applicant must postpone a CDL skills test three times due to equipment failure, it is a test failure and the test fee is forfeited. DMV will require an additional test fee for subsequent tests.¶

(11) An applicant for a CDL with a hazardous materials endorsement must meet the requirements described in OAR 735-063-0290.¶

(12) If an applicant is applying for a Real ID CDL, the applicant is not required to comply with the provisions in section (1)(c)(D) of this rule.¶

(13) An applicant for a Real ID CDL must first be issued a non-Real ID CLP and pass a CDL skills test unless the applicant surrenders a valid CDL issued by another state or the District of Columbia and the applicant:¶

- (a) Meets social security number verification requirements set forth in OAR 735-062-0006;¶
- (b) Except as provided in OAR 735-063-0268, provides proof of:¶
 - (A) United States citizenship as described in OAR 735-062-0022(3);¶
 - (B) Permanent Legal residence in the United States as described in OAR 735-062-0022(4); or¶
 - (C) Lawful status in the United States as a citizen of the Federated States of Micronesia, the Republic of the Marshall Islands or the Republic of Palau under a Compact of Free Association (COFA) with the United States, as described in OAR 735-062-0022(5);¶
- (c) Certifies driving type;¶
- (d) Provides proof of medical qualification as described in OAR 735-063-0220; and¶
- (e) Satisfies all requirements set forth in ORS 807.285.¶

(14) The expiration date of Real ID commercial driving privileges issued to a COFA citizen is described in OAR 735-062-0008(12).¶

(15) A CDL Examiner must use one of the following approved CDL skills test versions to test an applicant:¶

(a) AAMVA CDL skills test version March 2025, along with the corresponding examiner policy manual, in effect on June 1, 2025; or ¶

(b) The ODOT CDL Skills Test in effect on March 1, 2022, which is approved for use by a CDL examiner through May 31, 2026. ¶

(16) If DMV ceases issuance of limited term CDLs and CLPs in accordance with OAR 735-063-0200(5), an individual holding a valid limited-term CLP may not take a CDL skills test.

Statutory/Other Authority: ORS 184.619, 802.010, 807.085, 807.455, 807.480

Statutes/Other Implemented: ORS 807.018, 807.031, 807.035, 807.045, 807.085, 807.173, 807.285, 807.455, 807.480, 49 CFR §383.71, 49 CFR §§383.110 - 383.123, 49 CFR §§383.131-383.135, 49 CFR § 383.5.

RULE SUMMARY: DMV is amending this rule to clearly state that DMV will not issue a limited-term CDL or CLP under section (5) of the rule if DMV ceases issuance of all limited-term CDLs and CLPs, as described in OAR 735-063-0200.

CHANGES TO RULE:

735-063-0265

Issuance of Limited Term Non-Real ID CLP or CDL

(1) An applicant who is lawfully present in the United States on a temporary basis may qualify for a limited term non-Real ID CLP or limited term non-Real ID CDL by providing one of the following documents:
(a) Arrival/Departure Record (I-94 or CBI I94-A) issued by the United States Department of Homeland Security or Custom and Border Protection presented with or within a valid unexpired foreign passport.
(b) Employment Authorization Document(I-766), unexpired.
(2) DMV will not accept any document issued by the United States Immigration and Customs Enforcement Agency containing the statement:
(a) Under Docket Control;
(b) Under the Order of Supervision; or
(c) Notice of Immigration Bond Cancelled.
(3) DMV will not accept as the proof required by section (1) of this rule a document that is not verified through the Systematic Alien Verification for Entitlements (SAVE) system.
(4) DMV will not accept any document as proof of lawful status in the United States that is:
(a) Stamped cancelled;
(b) Hole-punched;
(c) Marked with clipped corners;
(d) Altered; or
(e) Amended, unless the amendments were completed by the issuing authority.

(5) After determining that an applicant has met all requirements for a non-Real ID CLP or non-Real ID CDL, including meeting the requirements in OAR 735-063-0200, and has provided proof of lawful status in the United States on a temporary basis, as described in this rule, DMV will issue a limited term non-Real ID CDL or limited term non-Real ID CLP and mail it to the address provided by the applicant at the time of the application. The expiration date of a limited term CLP or limited term CDL is as described in ORS 807.130(3).

(6) DMV shall not issue a limited-term CDL or CLP under section (5) of this rule if DMV ceases issuance of all limited-term CDLs and CLPs, as described in OAR 735-063-0200.

Statutory/Other Authority: ORS 184.619, 802.010, 807.730, 49 CFR §§ 383.21, 383.23, 383.71

Statutes/Other Implemented: ORS 807.730

RULE SUMMARY: DMV is clearly stating that DMV will not issue limited-term CDL under sections (1) through (5) of the rule if DMV ceases issuance of all limited-term CDLs, as described in OAR 735-063-0200.

CHANGES TO RULE:

735-063-0268

Issuance of Limited Term Real ID CDL

(1) An applicant who is lawfully present in the United States on a temporary basis may qualify for a limited term Real ID CDL by providing one of the following documents:¶

(a) Unexpired foreign passport with a valid, unexpired U.S. visa affixed accompanied by an Arrival/Departure Record (I-94 or CBI I94-A) or a valid I-797A Notice of Action issued by the United States Department of Homeland Security or Custom and Border Protection documenting the applicants most recent admittance into the United States.¶

(b) Employment Authorization Document (I-766), unexpired.¶

(2) DMV will not accept any document issued by the United States Immigration and Customs Enforcement Agency containing the statement:¶

(a) Under Docket Control;¶

(b) Under the Order of Supervision; or¶

(c) Notice of Immigration Bond Cancelled.¶

(3) DMV will not accept as the proof required by section (1) of this rule a document that is not verified through the Systematic Alien Verification for Entitlements (SAVE) system.¶

(4) DMV will not accept any document as proof of lawful status in the United States that is:¶

(a) Stamped cancelled;¶

(b) Hole-punched;¶

(c) Marked with clipped corners;¶

(d) Altered; or¶

(e) Amended, unless the amendments were completed by the issuing authority.¶

(5) After determining that an applicant has met all requirements for a limited term Real ID CDL, including meeting the requirements provided in OAR 735-063-0200, and has provided proof of lawful status in the United States on a temporary basis, as described in this rule, DMV will issue a limited term Real ID CDL and mail it to the address provided by the applicant at the time of the application. The expiration date of a limited term Real ID CDL is described in OAR 735-062-0008(11).¶

(6) DMV shall not issue limited-term CDL under sections (1) through (5) of this rule if DMV ceases issuance of all limited-term CDLs, as described in OAR 735-063-0200.

Statutory/Other Authority: ORS 184.619, 802.010, 807.730, 49 CFR §§ 383.21, 383.23, 383.71

Statutes/Other Implemented: ORS 807.110, 807.730