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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 740  
DEPARTMENT OF TRANSPORTATION  
COMMERCE AND COMPLIANCE DIVISION

**FILED**  
02/28/2025 8:11 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Credit & Debit Card Transactions and Fees

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)

These amendments align Oregon Administrative Rule language in Chapter 740 with Oregon Revised Statutes and with current business practices to promote consistency and transparency.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

None.

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

These amendments will have no impact on racial equity.

FISCAL AND ECONOMIC IMPACT:

While these rule amendments deal with credit and debit card transactions and fees, these changes align rule language with statutory language and authority, and existing business practices; therefore, there will be no associated fiscal nor economic impact.

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) No agencies, units of local government, nor members of the public will be economically impacted by these changes.

(2) No small businesses will be impacted by these changes.

(2)(a) The precise number is unknown. The Commerce and Compliance Division does not ask motor carriers how many

people they employ when those companies register.

(2)(b) These amendments will have no impact on reporting, recordkeeping and administrative activities, nor cost of compliance.

(2)(c) These amendments will require no additional cost associated with professional services, equipment supplies, labor and administration.

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

This rulemaking will not impact small businesses and therefore small businesses were not involved in development of the rules.

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

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RULES PROPOSED:

740-015-0080, 740-055-0020

AMEND: 740-015-0080

RULE SUMMARY: Adding statutory references as well as rule language clarification around the imposition of fees for credit card transactions conducted with CCD. These changes are consistent with current business practices and ORS.

CHANGES TO RULE:

740-015-0080

Payment of Fees; Use of Credit Cards; Debit Cards ¶¶

(1) If an electronic transaction requires the payment of taxes or fees to CCD, payment of those taxes or fees within the electronic transaction shall be:¶¶

(a) Payment by credit card or debit card approved by CCD as designated on an authorized system;¶¶

(b) Payment through an Automated Clearing House; or¶¶

(c) Charged to a motor carrier's account upon prior approval by CCD.¶¶

(2) All payments shall be made in US funds.¶¶

(3) To pay required fees to CCD by credit card or debit card within an electronic transaction, a motor carrier shall be required to submit the following information to CCD:¶¶

(a) Credit cardholder or debit cardholder name and billing address, including city, state, and zip code;¶¶

(b) Credit cardholder or debit cardholder phone number and e-mail address;¶¶

(c) Credit card or debit card number;¶¶

(d) Expiration date of the credit card or debit card;¶¶

(e) Card Verification Value (CVV) from the back of the debit or credit card;¶¶

(f) Motor carrier name and address, including city, state (or province), and zip code; and¶¶

(g) Motor carrier phone number and e-mail address.¶¶

(4) CCD may impose a surcharge to offset administrative fees charged to the department for acceptance and use of card payments, as granted under ORS 802.112.¶¶

(5) If for any reason the department does not receive payment from the issuer of the card, the department may impose additional fees for the payment of money under ORS 30.701, along with any additional actions as specified under ORS 802.170.

Statutory/Other Authority: ORS 184.619, 802.012, 802.112, 802.170, 825.502

Statutes/Other Implemented: ORS 825.490, 825.502

AMEND: 740-055-0020

RULE SUMMARY: Adding reference to OAR 740-015-0080 which describes payment by credit card or debit card and associated potential fees. Removing anachronistic reference to different varieties of personal and business checks and consolidating them to be either personal check or business check. All changes are consistent with current business practices and ORS.

CHANGES TO RULE:

740-055-0020

Payment of Fees and Refunds ¶¶

(1) Carriers registered with the Oregon Department of Transportation, or their agents as established either through an approved Power of Attorney or prior remittance of taxes or fees on behalf of the carrier, shall pay taxes and fees by either:¶¶

(a) Cash;¶¶

(b) Bank Draft;¶¶

(c) Guaranteed Draft;¶¶

(d) Credit card; or debit card under the conditions described in ~~ORS 825.502~~ AR 740-015-0080;¶¶

(e) Cashier's Check;¶¶

(f) Travelers Check;¶¶

(g) Company check when drawn in the name of record of the account to which it is to be applied;¶¶

(h) Personal or business check ~~from an agent described in subsection (1);~~¶¶

~~(i) Personal check when drawn in the name of a company employee;~~¶¶

~~(j) Personal check from a corporate officer; or~~¶¶

~~(k) Personal check when drawn in the name of a lessor driver when accompanied by a copy of the lease; or~~¶¶

(i) Payment through an Automated Clearing House (ACH).¶¶

(2) Carriers not registered with the Oregon Department of Transportation shall pay fees and taxes due by either:¶¶

(a) Cash;¶¶

(b) Bank Draft;¶¶

(c) Guaranteed Draft;¶¶

(d) Credit card; or debit card under the conditions described in ~~ORS 825.502~~ AR 740-015-0080;¶¶

(e) Cashier's Check; or¶¶

(f) Travelers Check.¶¶

(3) All payments to the Oregon Department of Transportation for taxes and fees shall be in United States funds.¶¶

(4) In the event any check drawn payable to the Department for payment of taxes or fees is not honored, the motor carrier account for which the check was drawn will be assessed the maximum service charge authorized by ORS 30.701(5) for each such check and the motor carrier account for which the check was drawn may thereafter be required to remit taxes or fees by credit card or debit card under the conditions described in OAR 740-015-0080, money order, bank draft, certified check, or cash.¶¶

(5) The Department will not issue a refund by cash to a motor carrier. The Department will not issue a refund by check to a motor carrier unless the dollar amount is equal to or greater than \$100.00.¶¶

(6) The Department will only issue a check for less than \$100.00 after a motor carrier's account has been audited and closed.

Statutory/Other Authority: ORS 184.616, 184.619, 823.011, 825.502

Statutes/Other Implemented: ORS 30.701, 825.498, 825.502