



NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 333

OREGON HEALTH AUTHORITY

PUBLIC HEALTH DIVISION

FILED: 08/31/2026 12:54 PM

ARCHIVES DIVISION SECRETARY OF STATE

FILING CAPTION: Organ Transport Vehicle Licensure

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 09/21/2026 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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Filed By:

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HEARING(S)

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

DATE: 09/16/2026

TIME: 2:00 PM

OFFICER: Staff

REMOTE HEARING DETAILS

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

PHONE NUMBER: 971-277-2343

CONFERENCE ID: 867659554

SPECIAL INSTRUCTIONS:

This hearing is being held remotely via Microsoft Teams. To provide oral (spoken) testimony during this hearing, please contact publichealth.rules@odhsoha.oregon.gov to register to receive the link for the Microsoft Teams video conference via calendar appointment, or you may access the hearing using the meeting URL above. Alternatively, you may dial 971-277-2343, Phone Conference ID 867 659 554# for audio (listen) only. This hearing will close no later than 3:00PM but may close as early as 2:30PM if everyone who signs up to provide testimony has been heard from.

Accessibility Statement: For individuals with disabilities or individuals who speak a language other than English, OHA can provide free help. Some examples are: sign language and spoken language interpreters, real-time captioning, braille, large print, audio, and written materials in other languages. If you need help with these services, please contact the Public Health Division at 971-673-1222, 711 TTY or publichealth.rules@odhsoha.oregon.gov at least 48 hours before the meeting. All relay calls are accepted. To best ensure our ability to provide a modification please contact us if you are considering attending the meeting and require a modification. The earlier you make a request the more likely we can meet the need.

NEED FOR THE RULE(S):

The Oregon Health Authority (OHA), Public Health Division, Emergency Medical Services Program is proposing to permanently adopt administrative rules in chapter 333, division 256 relating to the licensure of organ transport vehicles. These rules are in response to passage of SB 1161 (2025 Oregon Laws, Chapter 278) that requires the OHA to issue a license to an organ procurement organization to operate an organ transport vehicle.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

- ORS chapter 682 (https://www.oregonlegislature.gov/bills_laws/ors/ors682.html)
 - ORS chapter 815 (https://www.oregonlegislature.gov/bills_laws/ors/ors815.html)
 - ORS chapter 820 (https://www.oregonlegislature.gov/bills_laws/ors/ors820.html)
 - 2025 Oregon Laws, Chapter 278: https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2025orlaw0278.pdf
 - 42 CFR 486, Subpart G: (<https://www.ecfr.gov/current/title-42/chapter-IV/subchapter-G/part-486/subpart-G>)
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STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE:

By allowing specially marked organ transport vehicles to use lights and sirens, bypass traffic laws, and receive right-of-way, the policy expedites life-saving deliveries, significantly reducing geographic disparities in transplant access. The northwestern states (Alaska, Hawaii, Idaho, Montana, Oregon and Washington) have the greatest percentage (13.5%; ~2,300,000) of individuals who live more than 240 minutes from a transplant center, compared to the nation. Those traveling more than 240 minutes to a transplant center are more likely to be from rural areas and have lower household incomes and higher uninsured rates.(1) Oregon only has four transplant centers in the state, all in the Portland-Metro region, meaning rural Oregonians will have to spend more time and money traveling to receive a transplant. People residing in rural Oregon are also less likely to have access to preventive healthcare and specialists, leading to delays in diagnosis of organ disease or failure.

Communities of color suffer from disproportionately higher rates of organ failure and often have to wait much longer for transplants. Black patients are four times more likely than White patients to develop end stage renal disease, but only half as likely to receive a kidney transplant and face a transplant wait time that is, on average, a year longer.(2) Hispanic people and Native American people are more than twice as likely to develop end stage renal disease.(3) Black patients are 25% less likely to be wait-listed [for a kidney transplant] than White patients even after adjusting for medical factors and social determinants of health. In addition, being older, having lower income, public insurance, more comorbidities, and being on dialysis decreased the probability of wait-listing.(2) Viability windows vary depending on the organ being transported. Using lights and sirens can provide for transfer of organs from donor to recipient more quickly. This can improve organ viability and patient outcomes by reducing cell damage during the transport phase. Expediting organ transfers may also improve the number of viable organs available to those in need.

Footnotes:

(1): Chandrabhatla A, Horgan T, Narahari A, Kern J, Teman N, Mehaffey H, Scott C, Yarboro L, Carrott P. Urban and Rural Disparities in Access to Heart and Lung Transplantation. *Journal of Surgical Research*, 2025; 316, 1-7
[https://www.journalofsurgicalresearch.com/article/S0022-4804\(25\)00686-9/fulltext#fig1](https://www.journalofsurgicalresearch.com/article/S0022-4804(25)00686-9/fulltext#fig1)

(2): Ng YH, Pankratz VS, Leyva Y, Ford CG, Pleis JR, Kendall K, Croswell E, Dew MA, Shapiro R, Switzer GE, Unruh ML, Myaskovsky L. Does Racial Disparity in Kidney Transplant Waitlisting Persist After Accounting for Social Determinants of Health? *Transplantation*. 2020 Jul;104(7):1445-1455. doi: 10.1097/TP.0000000000003002. PMID: 31651719; PMCID: PMC7153978.
<https://pmc.ncbi.nlm.nih.gov/articles/PMC7153978/>

(3). United States Renal Data System. 2023 USRDS Annual Data Report: Epidemiology of kidney disease in the United States. National Institutes of Health, National Institute of Diabetes and Digestive and Kidney Diseases, Bethesda, MD, 2023
<https://usrds-adr.niddk.nih.gov/2023>

FISCAL AND ECONOMIC IMPACT:

An organ procurement organization (OPO) will be required to pay an initial license fee of \$300 for each organ transport vehicle operating in Oregon and an annual renewal fee of \$200. There is currently only one organ procurement organization in Oregon and one in the state of Washington. The OHA is estimating six to 12 organ transport vehicle licenses may be issued.

As stated in the law, the OPO will be required to provide proof of commercial general liability insurance in the amount of \$5,000,000; automobile liability insurance in the amount of \$5,000,000; and an umbrella policy of \$2,000,000. Based on an artificial intelligence (AI) review, the following estimated annual costs for insurance were identified. Cost drivers include risk classification, claims history and scope of operations.

Estimated Annual Costs

- Commercial General Liability (\$5M Limit) - Estimated cost: \$12,000 – \$25,000 per year

Cost drivers include organizational risk classification, claims history, and scope of operations.

- Automobile Liability (\$5M Limit) - Estimated cost: \$15,000 – \$30,000+ per vehicle per year

Higher costs are typical for emergency use or medically purposed vehicles due to increased risk profiles and specialty driver requirements.

- Umbrella/Excess Liability (\$2M Limit) - Estimated Cost: \$3,000 – \$7,500 per year

Pricing varies based on underlying coverages and overall risk exposure.

- Combined Estimated Annual Cost - Total estimated combined annual cost for all required coverage: \$30,000 – \$62,500+

As OPOs already operate or have contracts in place for organ transport vehicles, the OHA assumes that these costs are already covered by the OPO or the contracting agency.

The OPO will be required to develop and implement policies which will take staff time. It is assumed that since this

service is already provided, policies are already in place for purposes of organ transport and only minor changes may be needed to existing policies.

The OPO must ensure that drivers of organ transport vehicles meet specific qualifications. As OPOs already provide this service, it is assumed that drivers meet the specified requirements and that no additional staff will be necessary.

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) There is no anticipated impact on units of local government or the general public.

SB 1161 directs the OHA to establish licensing fees for organ transport vehicles by administrative rule. Current program assumptions anticipate issuing approximately six to 12 licenses. Given the small number of licenses anticipated, the fee levels required to fully recover program costs would be disproportionately high and could have an unintended consequence of limiting availability of organ transport. Based on current cost estimates, OHA would need to set an initial license fee of \$800 and an annual renewal fee of \$600 to fully recover costs. Because organ transport is a critical, time sensitive component of Oregon's healthcare system, the program is focused on ensuring that all eligible transport providers can obtain licensure without facing barriers that could reduce participation. Setting fees below breakeven helps safeguard continuity of service while the state implements this new regulatory program. The cost difference can be addressed through future program adjustments, efficiencies, or legislative budget discussion once the licensing framework stabilizes.

To avoid imposing an undue financial burden on OPOs and to support implementation of the statutory requirement, OHA will need to support the program through another funding source. Using another funding source would offset expenses associated with the initial development and implementation, including rulemaking, an electronic license application within the current EMS licensing database, as well as staff time needed to review applications and issue licenses.

Under the fee levels currently proposed, OHA would need to issue at least 19 licenses to recover program costs. Given projected costs, reliance on another funding source is necessary to ensure program viability and compliance with SB 1161.

(2)(a) - (c) Pursuant to federal law, OPOs operate as a non-profit and would therefore not be considered a small business.

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

While OPOs are not considered a small business as that term is defined, the RAC membership included the Oregon State Ambulance Association that represents both large and small and public and private ambulance service agencies.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

333-256-0000, 333-256-0005, 333-256-0010, 333-256-0020, 333-256-0030, 333-256-0040, 333-256-0050, 333-256-0060, 333-256-0070, 333-256-0080, 333-256-0090, 333-256-0100, 333-256-0110

ADOPT: 333-256-0000

RULE SUMMARY: Adopt OAR 333-256-0000 – This rule specifies that the purpose of these rules is to describe the requirements for licensing an organ transport vehicle and qualifications requirements for persons to be able to drive an organ transport vehicle.

CHANGES TO RULE:

333-256-0000

Purpose

The purpose of OAR 333-256-0000 through 333-256-0140 is to describe the requirements for licensing organ transport vehicles and for persons who may drive organ transport vehicles.

Statutory/Other Authority: ORS 413.042, ORS 682.415

Statutes/Other Implemented: ORS 682.415

ADOPT: 333-256-0005

RULE SUMMARY: Adopt OAR 333-256-0005 – This rule identifies definitions.

CHANGES TO RULE:

333-256-0005

Definitions

(1) "Body part" means an organ, an eye, or tissue of a human being. The term does not include the whole body or blood. ¶

(2) "Emergency transportation" means urgent transport by vehicle when time sensitive delivery is necessary to maintain organ or tissue viability, including but not limited to visual or audio signals and privileges granted under ORS 820.300. ¶

(3) "Organ procurement organization" or "OPO" means an organization designated by the Secretary of the United States Department of Health and Human Services as an organ procurement organization. ¶

(4) "Organ transport vehicle" means any motor vehicle operated or contracted by an organ procurement organization used for the emergency transportation of body parts intended to be transplanted. ¶

(5) "These rules" means OAR 333-256-0000 through 333-256-0140.

Statutory/Other Authority: ORS 413.042, ORS 682.415

Statutes/Other Implemented: ORS 682.415

RULE SUMMARY: Adopt OAR 333-256-0010 – This rule identifies the operative date when all organ transport vehicles operating in Oregon must comply with licensure requirement and describes the application process. Only an Organ Procurement Organization (OPO) may apply for a license and each application must include vehicle details and photos, documentation of required insurance, roster of authorized drivers, and evidence that the OPO is registered with the Oregon Health Authority. Vehicles must be clearly marked with the terms "Organ Transport" or "Organ Recovery." A separate license is required for each organ transport vehicle.

CHANGES TO RULE:

333-256-0010

Application for Organ Transport Vehicle License

(1) On or after January 1, 2027:

(a) An organ transport vehicle may not operate in this state unless it is licensed under these rules.

(b) No person may drive an organ transport vehicle that is not licensed under these rules.

(c) No person may drive an organ transport vehicle if they do not meet the requirements in OAR 333-256-0080.

(2) Only an organ procurement organization (OPO) may apply for and be issued an organ transport vehicle license.

¶

(3) An application to license an organ transport vehicle must be submitted electronically in a manner prescribed by the Oregon Health Authority (Authority) and include the following:

(a) The name, mailing address, and physical location of the OPO applying for the organ transport vehicle license;

(b) The name, mailing address, and physical location of the person or organization that operates the organ transport vehicle, if not operated by the OPO;

(c) If the organ transport vehicle is not operated by the OPO, written attestation that a current, duly executed contract exists with the person or organization specified under subsection (3)(b) of this rule operating the organ transport vehicle;

(d) The description of the organ transport vehicle including:

(A) Make;

(B) Model;

(C) Year of manufacture;

(D) Vehicle identification number;

(E) Vehicle license plate number;

(F) Color; striping; lettering; and insignia name, monogram or other distinguishing characteristics. Note: The "Star of Life" is a federally registered certification mark owned by the National Highway Transportation Safety Administration and may not be used without express written permission which must be provided upon request.

(G) The term "Organ Transport" or "Organ Recovery" that is displayed on all sides of the vehicle;

(e) Photos of all sides of the organ transport vehicle showing the characteristics specified in paragraphs (3)(d)(F) and (G);

(f) A copy of the organ transport vehicle's current Department of Motor Vehicle registration;

(g) Proof of:

(A) General liability insurance in the amount of \$5,000,000;

(B) Automobile liability insurance in the amount of \$5,000,000; and

(C) Umbrella policy in the amount of \$2,000,000.

(h) The name and contact information for the principal contact person for the applicant receiving official communications from the Authority including a name, mailing address, telephone number and electronic mail address;

(i) A roster of all individuals the applicant has authorized to drive the organ transport vehicle;

(j) A copy of the applicant's registration with the Authority's Organ Procurement Organization, Tissue Bank, and Eye Bank Registry; and

(k) Any other information or documentation required by the application.

(4) An OPO must submit a separate complete application and separate license fee in accordance with OAR 333-256-0065 for each organ transport vehicle.

Statutory/Other Authority: ORS 413.042, ORS 682.415

Statutes/Other Implemented: ORS 682.415

ADOPT: 333-256-0020

RULE SUMMARY: Adopt OAR 333-256-0020 – This rule describes that in reviewing the application, the Oregon Health Authority (OHA) shall verify compliance with these rules and ORS 682.415. The rule further clarifies that the OHA may reject an application that is incomplete or that is not accompanied by the fee. The rule also specifies eligibility requirements for a license including registration with the OHA's Organ Procurement Organization, Tissue Bank and Eye Bank Registry, compliance with federal regulations, registration with the Oregon Secretary of State, evidence that the organ transport vehicle is clearly identified as an organ transport vehicle, and evidence of insurance requirements.

CHANGES TO RULE:

333-256-0020

Review of Organ Transport Vehicle License Application

(1) In reviewing an application for an organ transport vehicle license, the Oregon Health Authority (Authority) shall verify compliance with ORS 682.415 and these rules. ¶

(2) The Authority may reject an application that is incomplete or that is not accompanied by required documents or the required fee. ¶

(3) To be eligible for an organ transport vehicle license, an applicant must:¶

(a) Submit a complete application and all required records in the form provided by the Authority.¶

(b) Submit the required license fee. ¶

(c) Be currently:¶

(A) Registered with the Authority's, Organ Procurement Organization, Tissue Bank, and Eye Bank Registry in accordance with ORS 441.082 and OAR 333-080-0050.¶

(B) In compliance with 42 CFR 486, Subpart G.¶

(C) Registered with the Oregon Secretary of State business registry if the applicant is not an individual. ¶

(d) Demonstrate that the organ transport vehicle to be licensed is clearly and identifiably marked on all sides of the vehicle as specified in OAR 333-256-0010; and¶

(e) Provide proof of commercial general liability insurance in the amount of \$5,000,000, automobile liability insurance in the amount of \$5,000,000 and an umbrella policy of \$2,000,000.

Statutory/Other Authority: ORS 413.042, ORS 682.415

Statutes/Other Implemented: ORS 682.415

ADOPT: 333-256-0030

RULE SUMMARY: Adopt OAR 333-256-0030 – The purpose of this rule is to identify requirements for approving a license application. Licenses must be displayed in the Organ Procurement Organization's (OPO's) main business office and stored in organ transport vehicles. Licenses are not transferable. The Oregon Health Authority may deny, suspend or revoke a license. The OPO must ensure that drivers meet the qualification requirements for the duration of the vehicle license and to qualify for renewal.

CHANGES TO RULE:

333-256-0030

Approval of Organ Transport Vehicle License Application

(1) The organ procurement organization (OPO) shall conspicuously display organ transport vehicle licenses in the main business office of the OPO and a copy of the license shall be stored in the organ transport vehicle.¶

(2) An organ transport vehicle license shall be issued only to the OPO named in the application and shall not be transferable.¶

(3) The Oregon Health Authority (Authority) may deny, suspend or revoke an organ transport vehicle license or place the license on probation if the licensee or vehicle has violated ORS 682.415 or these rules or no longer satisfies the requirements for licensure.¶

(4) The Authority shall deny an organ transport vehicle license application if the applicant does not satisfy the requirements in OAR 333-256-0020(3). ¶

(5) An OPO must ensure that organ transport vehicles and their drivers continue to comply with the requirements and qualifications specified in ORS 682.415 and these rules for the duration of the vehicle license and to qualify for renewal.

Statutory/Other Authority: ORS 413.042, ORS 682.415

Statutes/Other Implemented: ORS 682.415

ADOPT: 333-256-0040

RULE SUMMARY: Adopt OAR 333-256-0040 – This rule identifies that a license is valid for one year and the Organ Procurement Organization (OPO) must submit a renewal application at least 30 days for license expiration.

CHANGES TO RULE:

333-256-0040

Expiration and Renewal of License

(1) Each license to operate an organ transport vehicle:¶

(a) Shall be valid until December 31 of each year, unless sooner revoked or suspended. ¶

(b) Shall expire on December 31 of the following year, if a license is applied for and issued between October 1 and December 31.¶

(2) If a license renewal is desired, the licensee must submit an application and renewal fee specified under OAR 333-256-0065 at least 30 days prior to the expiration date in a manner prescribed by the Oregon Health Authority.¶

(3) A licensee that fails to timely submit a complete renewal application and fee in accordance with section (2) of this rule is not eligible for license renewal and must submit an initial application in accordance with OAR 333-256-0010.

Statutory/Other Authority: ORS 413.042, ORS 682.415

Statutes/Other Implemented: ORS 682.415

ADOPT: 333-256-0050

RULE SUMMARY: Adopt OAR 333-256-0050 – This rule specifies requirements of the Organ Procurement Organization (OPO) if the licensee ceases operations or terminates a contract with a person operating an organ transport vehicle. The Oregon Health Authority may refuse to accept the surrender of a license if the licensee is under investigation or there is a pending administrative action.

CHANGES TO RULE:

333-256-0050

Return or Surrender of License

(1) When a licensee ceases operations or terminates a contract or agreement with a person operating an organ transport vehicle, the licensee must:

(a) Within 30 calendar days after or before ceasing transport or termination of the contract, provide notice of intent to return the organ transport vehicle licenses to the Oregon Health Authority (Authority);

(b) Within 10 calendar days after ceasing transport or termination of the contract, the licensee must submit a statement to the Authority acknowledging that all organ transport vehicle licenses have been removed and destroyed on the final day of operation.

(2) The Authority may refuse to accept the surrender of an organ transport vehicle license if there is an investigation or pending administrative action.

Statutory/Other Authority: ORS 413.042, ORS 682.415

Statutes/Other Implemented: ORS 682.415

ADOPT: 333-256-0060

RULE SUMMARY: Adopt OAR 333-256-0060 – Initial and renewal licensing fees are identified, and the rule specifies that fees are non-refundable.

CHANGES TO RULE:

333-256-0060

Fees

(1) An applicant for an organ transport vehicle shall submit the following fee with the complete application: ¶

(a) Initial license fee - \$300.¶

(b) Renewal license fee - \$200.¶

(2) License fees are non-refundable.

Statutory/Other Authority: ORS 413.042, ORS 682.415

Statutes/Other Implemented: ORS 682.415

ADOPT: 333-256-0070

RULE SUMMARY: Adopt OAR 333-256-0070 – The purpose of this rule is to identify license eligibility requirements including specific policies that must be adopted, maintenance of current information, and reporting any changes of information to the Oregon Health Authority within 10 days of change.

CHANGES TO RULE:

333-256-0070

Licensee Requirements

(1) To be eligible for an organ transport vehicle license, the applicant must develop and implement written policies that ensure compliance with these rules, including but not limited to the following:¶

(a) A policy to ensure that all individuals driving an organ transport vehicle licensed by the applicant or licensee meet, and continue to meet at all times, the requirements in OAR 333-256-0080:¶

(b) A policy to ensure that personnel records have written verification that all individuals driving an organ transport vehicle licensed or to be licensed by the applicant have a certified copy of driving records from the Oregon Driver and Motor Vehicle (DMV) Services Division, Automated Reporting Service (ARS) program or equivalent. If the driver has an out-of-state driver's license, the policy must ensure that an equivalent certified copy driving record is obtained from that state if available, and if not available, conduct an annual driving record check. The latest copy must be kept in the driver's personnel file.¶

(c) A policy to ensure that the organ transport vehicle licensed or to be licensed is maintained in safe working order and complies with ORS chapter 820 and the rules adopted thereunder:¶

(d) A policy to ensure organ preparation and transport complies with all requirements of 42 CFR 486.346; and¶

(e) A policy to ensure that if a licensed organ transport vehicle is involved in a collision, the applicant or licensee electronically submits a legible copy of the Driver and Motor Vehicles (DMV), Oregon Traffic Collision and Insurance Report to the Oregon Health Authority (Authority) within 10 business days of the collision on a form prescribed by the Authority.¶

(2) A licensee must maintain current information with the Authority for the primary point of contact at all times. ¶

(3) A licensee must notify the Authority in writing of any changes to the information submitted with its application within 10 days of the change.

Statutory/Other Authority: ORS 413.042, ORS 682.415

Statutes/Other Implemented: ORS 682.415

RULE SUMMARY: Adopt OAR 333-256-0080 – This rule specifies the vehicle driver requirements, which includes a definition for traffic offense. Drivers must be 25 years of age or older; hold a current driver's license; be a current, former or retired police officer, fire fighter, or emergency medical services (EMS) provider; have at least five years of experience operating a vehicle under emergency conditions; have no more than one traffic offense; and must have completed an emergency vehicle operator course meeting the criteria specified. Personnel files on drivers must be made available to the Oregon Health Authority upon request.

CHANGES TO RULE:

333-256-0080

Organ Transport Vehicle Driver Qualifications

(1) As used in this rule, "traffic offense" means any of the following offenses: ¶

(a) Any violation of a traffic ordinance of a city, municipal or quasi-municipal corporation; or ¶

(b) Any violation law for which a criminal or traffic violation penalty is provided in the vehicle code. ¶

(2) A licensee may only permit an individual to drive a licensed organ transport vehicle if the individual: ¶

(a) Is employed by or contracted with the licensee: ¶

(b) Is 25 years of age or older: ¶

(c) Holds a current, valid driver's license: ¶

(d) Is a current, former, or retired police officer, fire fighter, or emergency medical services (EMS) provider: ¶

(e) Has at least five years of experience operating an official police vehicle, fire department vehicle, or ambulance vehicle under emergency conditions: ¶

(f) Does not have more than one traffic offense that was committed while driving a motor vehicle, in any three-year period, excluding parking violations; and ¶

(g) Has completed an emergency vehicle operator's course of instruction that is approved by the Oregon Health Authority (Authority) and includes, but is not limited to: ¶

(A) Maneuvering an emergency vehicle: ¶

(B) Defensive driving techniques: ¶

(C) Legal requirements and limitations related to aspects of emergency vehicle operation; and ¶

(D) Methods and practices for crash prevention. ¶

NOTE: Courses approved by the Authority are identified on the Authority's website at:

<http://healthoregon.org/EMS>. ¶

(3) A personnel file for each individual authorized to drive an organ transport vehicle that includes documentation that the driver meets the qualifications specified in these rules must be maintained by the licensee, or person or organization that operates the organ transport vehicle, if not the licensee. Personnel records must be made available to the Authority upon request. ¶

(4) An individual must not drive an organ transport vehicle if they do not meet the requirements of this rule.

Statutory/Other Authority: ORS 413.042, ORS 682.415

Statutes/Other Implemented: ORS 682.415

ADOPT: 333-256-0090

RULE SUMMARY: Adopt OAR 333-256-0090 – This rule specifies that the Oregon Health Authority (OHA) may conduct an investigation and inspect organ transport vehicles and the OHA may require a licensee to participate in an investigation and provide necessary records.

CHANGES TO RULE:

333-256-0090

Investigations

(1) The Oregon Health Authority (Authority) may investigate and inspect organ transport vehicles prior to issuing a license or at any time while the vehicle is licensed.¶

(2) The Authority may require a licensee to participate in an investigation and to provide records relevant to the Authority's investigation.¶

(3) The Authority may require an applicant to provide information or records to authenticate or verify compliance with application or licensure requirements.

Statutory/Other Authority: ORS 413.042, ORS 431A.010, ORS 682.415

Statutes/Other Implemented: ORS 431A.010, ORS 682.415

ADOPT: 333-256-0100

RULE SUMMARY: Adopt OAR 333-256-0100 – This rule identifies various actions that constitute a violation for both organ transport vehicles and drivers including providing false information, failing to cooperate with investigations, not maintaining vehicles safely, allowing unqualified drivers to operate, failing to follow required laws and federal standards, neglecting required collision reporting, and not complying with Oregon Health Authority orders.

CHANGES TO RULE:

333-256-0100

Violations

(1) In addition to non-compliance with any rules or laws that govern the operation of an organ transport vehicle, it is a violation for an applicant or licensee to:

(a) Make a material omission or misrepresentation of facts on an application for a license or in response to an Oregon Health Authority (Authority) inquiry or investigation.

(b) Refuse or fail to pay a civil penalty.

(c) Fail to permit Authority staff access to a licensed organ transport vehicle to evaluate for compliance with these rules or fail to cooperate with an Authority investigation of licensee or applicant compliance with these rules, including but not limited to failing to timely provide requested records.

(d) Permit an individual to drive an organ transport vehicle licensed by the applicant or licensee who does not meet at any time the requirements in OAR 333-256-0080.

(e) Fail to ensure that an organ transport vehicle licensed by the applicant or licensee is maintained in a safe working order or fails to comply with ORS chapter 820 and the rule adopted thereunder.

(f) Fail to ensure that individuals operating organ transport vehicles licensed or to be licensed by the applicant or licensee comply with ORS chapter 820 and rules adopted thereunder.

(g) Fail to ensure organ preparation and transport complies with all requirements of 42 CFR 486.346.

(h) Fail to timely electronically submit a legible copy of the Driver and Motor Vehicles (DMV), Oregon Traffic Collision and Insurance Report to the Authority after a licensed organ transport vehicle is involved in a collision.

(i) Fail to comply with an Authority order applicable to the applicant or licensee.

(2) In addition to non-compliance with any rules or laws that govern the operation of an organ transport vehicle, it is a violation for an individual who drives an organ transport vehicle or intends to drive an organ transport vehicle to:

(a) Make a material omission or misrepresentation of facts in response to an Authority inquiry or investigation.

(b) Fail to comply with an Authority order applicable to the individual.

Statutory/Other Authority: ORS 413.042, ORS 431A.010, ORS 682.415

Statutes/Other Implemented: ORS 413.042, ORS 431A.010, ORS 682.415

ADOPT: 333-256-0110

RULE SUMMARY: Adopt OAR 333-256-0110 – This rule provides for enforcement measures and allows the Oregon Health Authority to deny, suspend, revoke or place a licensee on probation if the vehicle or licensee violates the prescribed rules or ORS 682.415. Civil penalties may be assessed up to \$5,000 per violation.

CHANGES TO RULE:

333-256-0110

Enforcement

(1) The Oregon Health Authority (Authority) may deny, suspend or revoke an organ transport vehicle license or place the license on probation if the licensee or vehicle fails to comply with or commits a violation of these rules or ORS 682.415.¶

(2) A person who violates ORS 682.415 is subject to the imposition of a civil penalty not to exceed \$5,000 per violation. ¶

(3) A person who violates these rules, an administrative order issued by the Authority, or settlement agreement entered with the Authority is subject to the imposition of a civil penalty not to exceed \$500 a day per violation.

Statutory/Other Authority: ORS 413.042, ORS 431A.010, ORS 682.415, ORS 682.991

Statutes/Other Implemented: ORS 431A.010, ORS 682.415, ORS 682.991